

# City of Bloomington Common Council

## Legislative Packet

Containing legislation and materials related to:

Wednesday, 17 February 2021

Regular Session at 6:30 pm

*\*Please see the notes on the [Agenda](#) addressing public meetings during the public health emergency. For a schedule of upcoming meetings of the Council and the City's boards and commissions, please consult the City's [Calendar](#).*



# CITY OF BLOOMINGTON COMMON COUNCIL

AGENDA AND NOTICE:  
REGULAR SESSION  
WEDNESDAY | 6:30 PM  
17 February 2021

*Per Executive Orders issued by the Governor, these meetings will be conducted electronically.*

*The public may access the meetings at the following link:*

<https://bloomington.zoom.us/j/91620901330?pwd=LzcycnNhbThkZjEzejZNdTh2eXFYQT09>

## I. ROLL CALL

## II. AGENDA SUMMATION

## III. APPROVAL OF MINUTES

- |                      |                      |
|----------------------|----------------------|
| A. 19 July 2006      | D. 20 September 2006 |
| B. 06 September 2006 | E. 27 September 2006 |
| C. 13 September 2006 | F. 06 December 2006  |

## IV. REPORTS *(A maximum of twenty minutes is set aside for each part of this section.)*

- A. Councilmembers
- B. The Mayor and City Offices
- C. Council Committees
  - a. Sidewalk Committee Report
- D. Public\*

## V. APPOINTMENTS TO BOARDS AND COMMISSIONS

## VI. LEGISLATION FOR SECOND READINGS AND RESOLUTIONS

- A. Ordinance 21-02 – To Rezone a 10.097 Acre Property from Planned Unit Development (PUD) to Mixed-Use Corridor (MC) - Re: (Bill C. Brown Revocable Trust, Petitioner)

### **Land Use Committee Recommendation:**

Amendment 01 to <u>Ordinance 21-02</u> (10 February 2021):	Do Pass: 3-0-0
Recommendation on Ordinance as Amended (10 February 2021):	Do Pass: 3-0-0

- B. Ordinance 21-03 – (formerly Ordinance 20-33) – To Amend Title 2 of the Bloomington Municipal Code Entitled “Administration And Personnel” – Re: Chapter 2.02 (Boards and Commissions – revised) and Chapter 2.04 (Common Council – revised)

### **Administration Committee Recommendation:**

Amendment 01 to <u>Ordinance 21-03</u> (27 January 2021):	Do Pass: 3-1-0
Amendment 02 to <u>Ordinance 21-03</u> (10 February 2021):	Do Pass: 1-2-0
Recommendation on Ordinance as Amended (10 February 2021):	Do Pass: 2-1-0

Posted: 12 February 2021

**VII. LEGISLATION FOR FIRST READINGS**

- A. Ordinance 21-06 – To Amend Title 2 (“Administration and Personnel”) of the Bloomington Municipal Code Re: Adding Chapter 2.87 (Protections for People Experiencing Homelessness)

**VIII. ADDITIONAL PUBLIC COMMENT\*** (*A maximum of twenty-five minutes is set aside for this section.*)

**IX. COUNCIL SCHEDULE**

**X. ADJOURNMENT**

- \* Members of the public may speak on matters of community concern not listed on the agenda at one of the two public comment opportunities. Citizens may speak at one of these periods, but not both. Speakers are allowed five minutes; this time allotment may be reduced by the presiding officer if numerous people wish to speak.

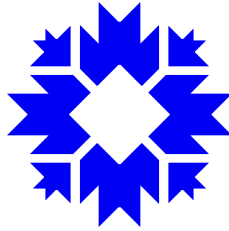
**STATEMENT ON PUBLIC MEETINGS DURING THE PUBLIC HEALTH EMERGENCY**

*As a result of Executive Orders issued by Indiana Governor Eric Holcomb, the Council and its committees may adjust normal meeting procedures to adhere to guidance provided by state officials. These adjustments may include:*

- *allowing members of the Council or its committees to participate in meetings electronically;*
- *posting notices and agendas for meetings solely by electronic means;*
- *using electronic meeting platforms to allow for remote public attendance and participation (when possible);*
- *encouraging the public to watch meetings via Community Access Television Services broadcast or livestream, and encouraging remote submissions of public comment (via email, to [council@bloomington.in.gov](mailto:council@bloomington.in.gov)).*

*Please check <https://bloomington.in.gov/council> for the most up-to-date information on how the public can access Council meetings during the public health emergency.*

**Posted: 12 February 2021**



City of Bloomington  
Office of the Common Council

# NOTICE

**Wednesday, 17 February 2021**  
***Regular Session***  
**at 6:30 pm**

Per [Executive Orders](#) issued by the Governor, this meeting will be conducted electronically.

The public may access the meeting at the following link:

<https://bloomington.zoom.us/j/91620901330?pwd=LzcycnNhbThkZjEzejZNdTh2eXFYQT09>

#### STATEMENT ON PUBLIC MEETINGS DURING THE PUBLIC HEALTH EMERGENCY

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- allowing members of the Council or its committees to participate in meetings electronically;
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- using electronic meeting platforms to allow for remote public attendance and participation (when possible);
- encouraging the public to watch meetings via Community Access Television Services broadcast or livestream, and encouraging remote submissions of public comment (via email, to [council@bloomington.in.gov](mailto:council@bloomington.in.gov)).

Please check <https://bloomington.in.gov/council> for the most up-to-date information

As a quorum of the Council or its committees may be present, this gathering constitutes a meeting under the Indiana Open Door Law (I.C. § 5-14-1.5). For that reason, this statement provides notice that this meeting will occur and is open for the public to attend, observe, and record what transpires.





**City of Bloomington  
Office of the Common Council**

**Minutes for Approval**

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19 July 2006 | 06 September 2006 | 13 September 2006 | 20 September 2006  
27 September 2006 | 06 December 2006



**City of Bloomington  
Office of the City Clerk**

**CLERK'S CERTIFICATE**

STATE OF INDIANA        )  
  ) SS:  
COUNTY OF MONROE     )

I, Nicole Bolden, being the duly elected, qualified and current Clerk of the City of Bloomington, Monroe County, Indiana, hereby do certify that I am the custodian of the records of the Bloomington City Council and the City of Bloomington, and that the attached copy of the minutes for the July 19, 2006 meeting of the Bloomington City Council is a full, true and complete copy of drafts of the minutes of that meeting and which is kept in this office in the normal course of business.

I affirm under the penalties for perjury that the foregoing representations are true.

IN WITNESS WHEREOF, I  
hereunto set my signature as Clerk  
of the City of Bloomington on the  
date set forth below.

\_\_\_\_\_  
Nicole Bolden  
City Clerk  
City of Bloomington, Indiana

Date:\_\_\_\_\_

The attached copy of the minutes for the July 19, 2006 meeting of the Bloomington Common Council of the City of Bloomington, Indiana as presented by the City Clerk was approved on the \_\_\_\_\_day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Jim Sims  
President, Common Council  
City of Bloomington, Indiana

In the Council Chambers of the Showers City Hall on Wednesday, July 19, 2006 at 7:30 pm with Council President Chris Sturbaum presiding over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
July 19, 2006

Roll Call: Diekhoff, Ruff, Gaal, Rollo, Sturbaum, Volan, Mayer  
Absent: Banach, Sabbagh

ROLL CALL

Council President Sturbaum gave the Agenda Summation

AGENDA SUMMATION

There were no minutes to be approved.

APPROVAL OF MINUTES

There were no appointments to boards and commissions at this meeting.

BOARD AND COMMISSION  
APPOINTMENTS

It was moved and seconded that Resolution 06-07 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, stating that there was no committee recommendation. It was moved and seconded that Resolution 06-07 be adopted.

LEGISLATION FOR SECOND  
READING

Resolution 06-07 Recognizing the  
Peak of the World Petroleum  
Production

Resolution 06-07 received a roll call vote of Ayes: 7, Nays: 0.

It was moved and seconded that the following legislation be introduced and read by title and synopsis only. Clerk Moore read the legislation by title and synopsis.

LEGISLATION FOR FIRST  
READING

Appropriations Ordinance 06-03 To Specially Appropriate from the General Fund Expenditures Not Otherwise Appropriated (Appropriating Funds from the General Fund for Grants Awarded to the Fire Department)

Appropriations Ordinance 06-03

Ordinance 06-12 To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" - Re: Expanding the Elm Heights Proximate Residential Neighborhood Permit Parking Zone (Zone 1)

Ordinance 06-12

It was moved and seconded to suspend the rules to take up an item not on the agenda.

COUNCIL SCHEDULE

The motion was approved by a voice vote.

It was moved and seconded to schedule a Special Session on July 25, 2006 prior to the departmental budget hearings.

The meeting was adjourned at 10:10 pm.

ADJOURNMENT

APPROVE:

ATTEST:

Chris Sturbaum, PRESIDENT  
Bloomington Common Council

Regina Moore, CLERK  
City of Bloomington



**City of Bloomington  
Office of the City Clerk**

**CLERK'S CERTIFICATE**

STATE OF INDIANA        )  
  ) SS:  
COUNTY OF MONROE     )

I, Nicole Bolden, being the duly elected, qualified and current Clerk of the City of Bloomington, Monroe County, Indiana, hereby do certify that I am the custodian of the records of the Bloomington City Council and the City of Bloomington, and that the attached copy of the minutes for the September 06, 2006 meeting of the Bloomington City Council is a full, true and complete copy of drafts of the minutes of that meeting and which is kept in this office in the normal course of business.

I affirm under the penalties for perjury that the foregoing representations are true.

IN WITNESS WHEREOF,     I  
hereunto set my signature as Clerk  
of the City of Bloomington on the  
date set forth below.

\_\_\_\_\_  
Nicole Bolden  
City Clerk  
City of Bloomington, Indiana

Date:\_\_\_\_\_

The attached copy of the minutes for the September 06, 2006 meeting of the Bloomington Common Council of the City of Bloomington, Indiana as presented by the City Clerk was approved on the \_\_\_\_\_day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Jim Sims  
President, Common Council  
City of Bloomington, Indiana

In the Council Chambers of the Showers City Hall on Wednesday, September 6, 2006 at 7:30 pm with Council President Chris Sturbaum presiding over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
September 6, 2006

Roll Call: Banach, Diekhoff, Ruff, Gaal, Rollo, Sturbaum, Volan, Sabbagh, Mayer

ROLL CALL

Council President Sturbaum gave the Agenda Summation

AGENDA SUMMATION

The minutes of Special Session of July 25, 2006 and August 2, 2006 were approved by a voice vote after one small correction was made.

APPROVAL OF MINUTES

It was moved and seconded that Kent McDaniels be reappointed to the Public Transportation Corporation. The motion was approved by a unanimous voice vote.

BOARD AND COMMISSION  
APPOINTMENTS

It was moved and seconded that Resolution 06-10 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, stating that there was no committee recommendation. It was moved and seconded that Resolution 06-10 be adopted.

LEGISLATION FOR SECOND  
READING  
Resolution 06-10 Authorizing Use of  
Vending Machine Funds

Resolution 06-10 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that the following legislation be introduced and read by title and synopsis only. Clerk Moore read the legislation by title and synopsis.

LEGISLATION FOR FIRST  
READING

Appropriation Ordinance 06-04 An Ordinance for Appropriations and Tax Rates (2007 Civil City Budget for the City of Bloomington)

Appropriation Ordinance 06-04

Appropriation Ordinance 06-05 An Ordinance Adopting a Budget for the Operation, Maintenance, Debt Service and Capital Improvements for the Water and Wastewater Utility Departments of the City of Bloomington, Indiana for the Year 2007

Appropriation Ordinance 06-05

Appropriations Ordinance 06-06 To Specially Appropriate from the Park Land Acquisition Fund Expenditures Not Otherwise Appropriated (To Purchase Land Adjacent to Cascades Park)

Appropriations Ordinance 06-06

Ordinance 06-13 To Fix the Salaries of All Elected City Officials for the City of Bloomington for the Year 2007

Ordinance 06-13

Ordinance 06-14 An Ordinance Fixing the Salaries of Appointed Officers, Non-Union and A.F.S.C.M.E. Employees for All the Departments of the City of Bloomington, Monroe County, Indiana, for the Year 2007

Ordinance 06-14

Ordinance 06-15 An Ordinance Fixing the Salaries of Officers of the Police and Fire Departments for the City of Bloomington, Indiana, for the Year 2007

Ordinance 06-15

Ordinance 06-16 An Ordinance Reviewing and Modifying the Budget of the Bloomington Public Transportation Corporation for the Year 2007

Ordinance 06-16

Ordinance 06-18 To Amend Ordinance 05-21 which Fixed the Salaries of Appointed Officers, Non-Union and A.F.S.C.M.E. Employees for all the Departments of the City of Bloomington, Monroe County, Indiana,

Ordinance 06-18

for the Year 2006 - Re: Positions in the Clerk's Office, Common Council Office, Community and Family Resources, Engineering, Information and Technology Services, Public Works Administration, Sanitation, Utilities Engineering, Utilities Meter Services, and Utilities Transmission and Distribution

The meeting was adjourned at 8:20pm.

ADJOURNMENT

APPROVE:

ATTEST:

Chris Sturbaum, PRESIDENT  
Bloomington Common Council

Regina Moore, CLERK  
City of Bloomington

for approval



**City of Bloomington  
Office of the City Clerk**

**CLERK'S CERTIFICATE**

STATE OF INDIANA        )  
  ) SS:  
COUNTY OF MONROE     )

I, Nicole Bolden, being the duly elected, qualified and current Clerk of the City of Bloomington, Monroe County, Indiana, hereby do certify that I am the custodian of the records of the Bloomington City Council and the City of Bloomington, and that the attached copy of the minutes for the September 13, 2006 meeting of the Bloomington City Council is a full, true and complete copy of drafts of the minutes of that meeting and which is kept in this office in the normal course of business.

I affirm under the penalties for perjury that the foregoing representations are true.

IN WITNESS WHEREOF, I  
hereunto set my signature as Clerk  
of the City of Bloomington on the  
date set forth below.

\_\_\_\_\_  
Nicole Bolden  
City Clerk  
City of Bloomington, Indiana

Date:\_\_\_\_\_

The attached copy of the minutes for the September 13, 2006 meeting of the Bloomington Common Council of the City of Bloomington, Indiana as presented by the City Clerk was approved on the \_\_\_\_\_day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Jim Sims  
President, Common Council  
City of Bloomington, Indiana

In the Council Chambers of the Showers City Hall on Wednesday, September 13, 2006 at 7:30 pm with Council President Chris Sturbaum presiding over a Special Session of the Common Council.

COMMON COUNCIL  
SPECIAL SESSION  
September 13, 2006

Roll Call: Banach, Diekhoff, Ruff, Gaal, Rollo, Sturbaum, Volan, Sabbagh, Mayer

ROLL CALL

Council President Sturbaum gave the Agenda Summation

AGENDA SUMMATION

There were no minutes for approval.

APPROVAL OF MINUTES

There were no appointments for boards and commissions at this meeting.

BOARD AND COMMISSION  
APPOINTMENTS

It was moved and seconded that Ordinance 06-15 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of 8-0-1. It was moved and seconded that Ordinance 06-15 be adopted.

LEGISLATION FOR SECOND  
READING  
Ordinance 06-15 An Ordinance Fixing the Salaries of Officers of the Police and Fire Departments for the City of Bloomington, Indiana, for the Year 2007

Ordinance 06-15 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 1 (Diekhoff)

It was moved and seconded that Ordinance 06-18 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of 9-0-0. It was moved and seconded that Ordinance 06-18 be adopted.

Ordinance 06-18 To Amend Ordinance 05-21 which Fixed the Salaries of Appointed Officers, Non-Union and A.F.S.C.M.E. Employees for all the Departments of the City of Bloomington, Monroe County, Indiana, for the Year 2006 - Re: Positions in the Clerk's Office, Common Council Office, Community and Family Resources, Engineering, Information and Technology Services, Public Works Administration, Sanitation, Utilities Engineering, Utilities Meter Services, and Utilities Transmission and Distribution

Ordinance 06-18 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that Ordinance 06-14 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of 9-0-0. It was moved and seconded that Ordinance 06-14 be adopted.

Ordinance 06-14 An Ordinance Fixing the Salaries of Appointed Officers, Non-Union and A.F.S.C.M.E. Employees for All the Departments of the City of Bloomington, Monroe County, Indiana, for the Year 2007

Ordinance 06-14 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that Ordinance 06-13 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of 9-0-0. It was moved and seconded that Ordinance 06-13 be adopted.

Ordinance 06-13 To Fix the Salaries of All Elected City Officials for the City of Bloomington for the Year 2007

Ordinance 06-13 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that Appropriation Ordinance 06-04 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of 8-1-0. It was moved and seconded that Appropriation Ordinance 06-04 be adopted.

Appropriation Ordinance 06-04 An Ordinance for Appropriations and Tax Rates (2007 Civil City Budget for the City of Bloomington)

Appropriation Ordinance 06-04 received a roll call vote of Ayes: 8, Nays: 1 (Sabbagh).



It was moved and seconded that Appropriation Ordinance 06-05 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of 8-1-0. It was moved and seconded that Appropriation Ordinance 06-05 be adopted.

Appropriation Ordinance 06-05 received a roll call vote of Ayes: 8, Nays: 1 (Sabbagh).

It was moved and seconded that Ordinance 06-16 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of 9-0-0. It was moved and seconded that Ordinance 06-16 be adopted.

Ordinance 06-16 received a roll call vote of Ayes: 9, Nays: 0.

The meeting was adjourned at 9:24pm.

APPROVE:

ATTEST:

Chris Sturbaum, PRESIDENT  
Bloomington Common Council

Regina Moore, CLERK  
City of Bloomington

Appropriation Ordinance 06-05 An Ordinance Adopting a Budget for the Operation, Maintenance, Debt Service and Capital Improvements for the Water and Wastewater Utility Departments of the City of Bloomington, Indiana for the Year 2007

Ordinance 06-16 An Ordinance Reviewing and Modifying the Budget of the Bloomington Public Transportation Corporation for the Year 2007

ADJOURNMENT

for approval



**City of Bloomington  
Office of the City Clerk**

**CLERK'S CERTIFICATE**

STATE OF INDIANA        )  
  ) SS:  
COUNTY OF MONROE     )

I, Nicole Bolden, being the duly elected, qualified and current Clerk of the City of Bloomington, Monroe County, Indiana, hereby do certify that I am the custodian of the records of the Bloomington City Council and the City of Bloomington, and that the attached copy of the minutes for the September 20, 2006 meeting of the Bloomington City Council is a full, true and complete copy of drafts of the minutes of that meeting and which is kept in this office in the normal course of business.

I affirm under the penalties for perjury that the foregoing representations are true.

IN WITNESS WHEREOF,     I  
hereunto set my signature as Clerk  
of the City of Bloomington on the  
date set forth below.

\_\_\_\_\_  
Nicole Bolden  
City Clerk  
City of Bloomington, Indiana

Date:\_\_\_\_\_

The attached copy of the minutes for the September 20, 2006 meeting of the Bloomington Common Council of the City of Bloomington, Indiana as presented by the City Clerk was approved on the \_\_\_\_\_day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Jim Sims  
President, Common Council  
City of Bloomington, Indiana

In the Council Chambers of the Showers City Hall on Wednesday, September 20, 2006 at 7:35 pm with Council President Chris Sturbaum presiding over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
September 20, 2006

Roll Call: Banach, Diekhoff, Ruff, Gaal, Rollo, Sturbaum, Sabbagh, Mayer  
Absent: Volan

ROLL CALL

Council President Sturbaum gave the Agenda Summation

AGENDA SUMMATION

There were no minutes to be approved.

APPROVAL OF MINUTES

There were no appointments to boards and commissions at this meeting.

BOARD AND COMMISSION  
APPOINTMENTS  
LEGISLATION FOR SECOND  
READING

It was moved and seconded that the Resolution 06-09 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 8-0-1. It was moved and seconded that Resolution 06-09 be adopted.

Resolution 06-09 Approving the Purchase of Land near Lower Cascades Park.

Resolution 06-09 received a roll call vote of Ayes: 8, Nays: 0.

It was moved and seconded that the Appropriations Ordinance 06-06 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 8-0-1. It was moved and seconded that Appropriations Ordinance 06-06 be adopted.

Appropriations Ordinance 06-06 To Specially Appropriate from the Park Land Acquisition Fund Expenditures Not Otherwise Appropriated (To Purchase Land Adjacent to Cascades Park)

Appropriations Ordinance 06-06 received a roll call vote of Ayes: 8, Nays: 0.

It was moved and seconded that the following legislation be introduced and read by title and synopsis only. Clerk Moore read the legislation by title and synopsis.

LEGISLATION FOR FIRST  
READING

Ordinance 06-17 To Amend the Preliminary Plan for the Kingston Planned Unit Development to Allow Office and Retail Land Uses Re - 123 S. Kingston Dr (Bryan Rental, Petitioner)

Ordinance 06-17

Ordinance 06-22 To Vacate a Public Parcel - Re: An Alley Running East/West Between 320 and 326 South Dunn which is Approximately 10 Feet Wide and 178 Feet Long (John S., Myra, John P., Mark, and Christopher S. Burnham, Petitioners)

Ordinance 06-22

It was moved and seconded to suspend the rules to allow discussion of an item not on the agenda.

COUNCIL SCHEDULE

The motion was approved by a voice vote.

It was moved and seconded to schedule a Special Session on Wednesday, September 27.

The motion was approved by a voice vote.

The meeting was adjourned at 8:17 pm.

ADJOURNMENT

APPROVE:

ATTEST:

Chris Sturbaum, PRESIDENT  
Bloomington Common Council

Regina Moore, CLERK  
City of Bloomington



**City of Bloomington  
Office of the City Clerk**

**CLERK'S CERTIFICATE**

STATE OF INDIANA        )  
  ) SS:  
COUNTY OF MONROE     )

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I affirm under the penalties for perjury that the foregoing representations are true.

IN WITNESS WHEREOF,     I  
hereunto set my signature as Clerk  
of the City of Bloomington on the  
date set forth below.

\_\_\_\_\_  
Nicole Bolden  
City Clerk  
City of Bloomington, Indiana

Date:\_\_\_\_\_

The attached copy of the minutes for the September 27, 2006 meeting of the Bloomington Common Council of the City of Bloomington, Indiana as presented by the City Clerk was approved on the \_\_\_\_\_day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Jim Sims  
President, Common Council  
City of Bloomington, Indiana

In the Council Chambers of the Showers City Hall on Wednesday, September 27, 2006 at 8:58 pm with Council President Chris Sturbaum presiding over a Special Session of the Common Council.

COMMON COUNCIL  
SPECIAL SESSION  
September 27, 2006

Roll Call: Banach, Diekhoff, Ruff, Gaal, Rollo, Sturbaum, Sabbagh, Mayer  
Absent: Volan

ROLL CALL

It was moved and seconded that the following persons be appointed to boards and commission: Beverly Smith to the Commission on the Status of Black Males, Susan Johnson to the MLK Birthday Commission, and to confirm the mayor's appointment of Duncan Campbell to the Bloomington Historic Preservation Commission.

BOARD AND COMMISSION  
APPOINTMENTS

All appointments were approved by voice vote.

It was moved and seconded to adopt the Tribute to Councilmember Jason Banach.

PROCLAMATION AND TRIBUTE  
TO Councilmember Jason Banach

The motion received a roll call vote of Ayes: 8, Nays: 0.

The meeting was adjourned at 9:50

ADJOURNMENT

APPROVE:

ATTEST:

Chris Sturbaum, PRESIDENT  
Bloomington Common Council

Regina Moore, CLERK  
City of Bloomington

for approval



**City of Bloomington  
Office of the City Clerk**

**CLERK'S CERTIFICATE**

STATE OF INDIANA        )  
  ) SS:  
COUNTY OF MONROE     )

I, Nicole Bolden, being the duly elected, qualified and current Clerk of the City of Bloomington, Monroe County, Indiana, hereby do certify that I am the custodian of the records of the Bloomington City Council and the City of Bloomington, and that the attached copy of the minutes for the December 06, 2006 meeting of the Bloomington City Council is a full, true and complete copy of drafts of the minutes of that meeting and which is kept in this office in the normal course of business.

I affirm under the penalties for perjury that the foregoing representations are true.

IN WITNESS WHEREOF,     I  
hereunto set my signature as Clerk  
of the City of Bloomington on the  
date set forth below.

\_\_\_\_\_  
Nicole Bolden  
City Clerk  
City of Bloomington, Indiana

Date:\_\_\_\_\_

The attached copy of the minutes for the December 06, 2006 meeting of the Bloomington Common Council of the City of Bloomington, Indiana as presented by the City Clerk was approved on the \_\_\_\_\_day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Jim Sims  
President, Common Council  
City of Bloomington, Indiana

In the Council Chambers of the Showers City Hall on Wednesday, December 6, 2006 at 7:30 pm with Council President Chris Sturbaum presiding over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
December 6, 2006

Roll Call: Banach, Diekhoff, Ruff, Gaal, Rollo, Sturbaum, Volan, Sabbagh, Mayer

ROLL CALL

Council President Sturbaum gave the Agenda Summation

AGENDA SUMMATION

There were no minutes to be approved.

APPROVAL OF MINUTES

It was moved and seconded to accept a Disclosure of Conflict of Interest form from Duncan Campbell.

REPORTS:

COUNCIL COMMITTEES

Disclosure of Conflict of Interest  
(Duncan Campbell - appointee to the  
Historic Preservation Commission)

The motion received a roll call vote of Ayes: 9, Nays: 0.

There were no appointments to boards and commissions at this meeting.

BOARD AND COMMISSION  
APPOINTMENTS

It was moved and seconded that Ordinance 06-24 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, stating that there was no committee recommendation. It was moved and seconded that Ordinance 06-24 be adopted.

LEGISLATION FOR SECOND  
READING

Ordinance 06-24 To Repeal and Replace Title 20 of the Bloomington Municipal Code Entitled, "Zoning", Including the Incorporated Zoning Maps, and Title 19 of the Bloomington Municipal Code, Entitled "Subdivisions"

It was moved and seconded to further consider this ordinance on December 20, 2006.

The motion received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that Resolution 06-14 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, stating that there was no committee recommendation. It was moved and seconded that Resolution 06-14 be adopted.

Resolution 06-14 To Confirm Resolution 06-13 Which Designated an Economic Revitalization Area, Approved a Statement of Benefits, Authorized A Period of Tax Abatement, and Declared Intent to Waive Certain Statutory Requirements - Re: 2300 Rockport Road and 2101, 2105, 2109, 2112, 2113, 2116, 2117, 2120, 2121, 2124, and 2125 Susie Street (City of Bloomington Department of Housing and Neighborhood Development, Petitioner)

Resolution 06-14 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that Resolution 06-17 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, stating that there was no committee recommendation. It was moved and seconded that Resolution 06-17 be adopted.

Resolution 06-17 A Resolution Supporting the Renewal of the Bloomington Urban Enterprise Zone

Resolution 06-17 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that Resolution 06-16 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, stating that there was no committee recommendation. It was moved and seconded that Resolution 06-16 be adopted.

Resolution 06-16 Supporting State and Federal Legislation Enacting Universal Publicly-Paid Health Insurance

Resolution 06-17 received a roll call vote of Ayes: 7, Nays: 0, Abstain: 2 (Sabbagh, Wisler).

It was moved and seconded that the following legislation be introduced and read by title and synopsis only. Clerk Moore read the legislation by title and synopsis.

LEGISLATION FOR FIRST READING

Ordinance 06-25 To Amend Chapter 2.23 of the Bloomington Municipal Code Entitled "Community and Family Resources Department" in Order to Establish the Commission on the Status of the Black Males as a Permanent Commission.

Ordinance 06-25

Ordinance 06-26 To Authorize the Issuance of Bonds by the Monroe County Redevelopment Commission Pursuant to IC 36-7-14-3.5

Ordinance 06-26

Ordinance 06-27 To Vacate A Public Parcel - Re: Right-of-Way Running North /South Along the East Side of 111 South Grant Street (Trinity Episcopal Church - Rectors and Wardens, Petitioners

Ordinance 06-27

PUBLIC INPUT

The meeting was adjourned at 10:32 pm

ADJOURNMENT

APPROVE:

ATTEST:

Chris Sturbaum, PRESIDENT  
Bloomington Common Council

Regina Moore, CLERK  
City of Bloomington

for approval



# Council Sidewalk Committee 2021 Report

## Table of Contents

- **Signature Sheet**
- **Narrative**
- **Committee Recommendation Sheet**
- **Maps for Recommended Projects**
- **Program Criteria**
- **Evaluation Sheet (with funded projects identified)**
- **History of Funding**

*Note: The Report can be found [online](#) once approved by the Committee*



# **Report of the 2021 Common Council Sidewalk Committee (February 17, 2021)**

## **Committee Members and Staff**

The members of the 2021 Committee were appointed by the President of the Council and included:

- Jim Sims, At-Large
- Ron Smith, District 3 (Chair)
- Kate Rosenbarger, District 1
- Dave Rollo, District 4

The committee members were assisted by the following persons and departments:

### **Planning and Transportation (P & T)**

Scott Robinson, Director

Beth Rosenbarger, Planning Services Manager

Mallory Rickbeil, Bicycle and Pedestrian Coordinator

Amir Farshchi, Long Range Planner

### **Engineering (formerly part of P & T)**

Brad Schroeder, Assistant Director

Neil Kopper, Sr. Project Engineer

Roy Aten, Project Engineer

Patrick Dierkes, Project Engineer

### **Utilities**

Brad Schroeder, Assistant Director-Engineering

Jane Fleig, Utilities Engineer

### **Housing and Neighborhood Development**

Doris Sims, Director

Matt Swinney, Program Manager, Housing and Construction Projects

### **Parks and Recreation**

Steve Cotter, Natural Resources Manager

### **Office of the City Clerk**

Nicole Bolden, City Clerk

Sofia McDowell, Chief Deputy Clerk

### **Council Office**

Stephen Lucas, Council Administrator/Attorney

Heather Lacy, Deputy Administrator/Deputy Attorney

Becky Boustani, Assistant Administrator/Legal Research Specialist

## **Highlight of Recommendations**

The Committee made recommendations to the entire Council on the use of \$330,000 of Alternative Transportation Fund (ATF) monies budgeted for 2021 for sidewalk and traffic-calming/pedestrian improvements projects. It met two times at the end of 2020 and once in January 2021 to review ongoing projects and allocations, discuss program criteria, consider new projects, and make recommendations regarding the allocation of these funds. As in the past, additional funds from various other sources – e.g. P & T (through ATF and other funds), HAND (through CDBG funding), and CBU (City of Bloomington Utilities - for storm water) were necessary for some projects to move forward or be completed.

In brief, the Committee learned about or recommended funding for the following sidewalk and traffic-calming projects:

- **Projects Completed in 2020:**

- Construction

- Traffic-calming – W. Allen Street from Patterson Drive to Adams Street (various traffic-calming devices)

- **Projects to be Completed in 2021 or later:**

- Construction

- Sidewalk - Maxwell Street from Miller Drive to North of Short Street (east side) – construction anticipated Spring 2021
    - Sidewalk - W. 14<sup>th</sup> Street from Madison Street to Woodburn Avenue (north side) – construction anticipated Spring 2021
    - Crosswalk/intersection improvements – E. Moores Pike/S. Smith Road intersection
    - Sidewalk – S. Walnut Street from Winslow Road to Ridgeview Drive (east side) (with recommended 2021 funding for construction)

- Did not move forward

- Traffic-calming – Graham Drive/Broadview Neighborhood area – did not successfully complete Neighborhood Traffic Safety Program; staff anticipates further discussion with neighborhoods to resolve temporary traffic calming.

- **New Projects to Begin with 2021 Funds:**

- Design and right-of-way acquisition

- Sidewalk – Dunn Street (15<sup>th</sup> Street to 16<sup>th</sup> Street) (west side)
    - Sidewalk – Adams Street (Kirkwood Avenue to Fountain Drive) (west side) (design partially funded in 2020)

- Traffic-Calming

- Prioritized resident-led projects within the Traffic Calming and Greenways Program

## **Schedule**

The Committee met electronically via Zoom on:

- Thursday, December 3, 2020 at noon
- Tuesday, December 15, 2020 at noon
- Tuesday, January 12, 2021 at noon

## **Deliberation Materials and Minutes Available Online**

The following outline provides an overview of what the Committee did at those meetings. Please note that some additional documents regarding those meetings are available in the Council Office and online at <https://bloomington.in.gov/council/sidewalks> under Meetings and Documents. These documents include an Initial Council Sidewalk Committee Packet for the Committee's first meeting and Memoranda/Minutes for these meetings.

## **Preliminary Matters**

Early on, the Committee:

- Agreed that Cm. Ron Smith should serve as the Chair;
- Acknowledged and thanked the staff in the Office of City Clerk for serving as Secretary for the proceedings; and
- Approved the minutes from 2019-2020 Sidewalk Committee meetings: November 12, 2019; November 18, 2019; December 10, 2019.

## **Purpose of Committee and History of Funding**

In the past, the Sidewalk Committee has made recommendations on use of a portion of the Alternative Transportation Fund (ATF) monies appropriated for this purpose and, in the course of doing so, works in concert with City staff to identify funding priorities for sidewalk and traffic calming projects in the City. The ATF was established in 1992 with surplus revenues from the Neighborhood Parking Program and was dedicated to “reducing the community’s dependence upon the automobile.” BMC 15.37.160. Over the years, the ATF has also received annual infusions from other City sources. This year, \$330,000 has been appropriated for use by the Committee, which is an increase of \$6,000 over last year.

The following table provides a rough historical view of funding for Committee projects which is divided into annual Council Sidewalk Budgets, contributions from CBU, and contributions from other sources. Please know that the maintenance of sidewalks is the responsibility of the property owner and that the construction of new sidewalks in the City is mostly done by the owner when property is developed or redeveloped.

### **Council Sidewalk Committee Projects – Funding Sources**

Year(s)	Council Sidewalk Budget <sup>1</sup>		Estimate of Other Contributions	
	Per Year	Total	Other <sup>2</sup>	CBU <sup>3</sup>
2007	\$185,000	\$185,000	\$0	~ \$46,174
2008-2012	\$225,000	\$1,125,000	~\$1,425,000	~\$538,742
2013	\$275,000	\$275,000	~\$1,200,000 <sup>4</sup>	\$0
2014-2016	\$300,000	\$900,000	~\$43,000	~\$136,697

<sup>1</sup> The amounts in these columns are amounts budgeted at the beginning of the year. They include amounts dedicated for traffic calming (which, up until 2017, were typically under \$25,000 per year), but do not account for re-appropriation of unspent reverted funds in subsequent years.

<sup>2</sup> The amounts in this column were amounts estimated at the time the Committee Reports were filed and do not account for changes after the actual amount was known. Funding sources include, but are not limited to: Greenways Funds (within the ATF); HAND Community Development Block Grant (CDBG) funds (targeting low-income neighborhoods); Cumulative Capital Development (CCD) fund; bond funds; General Fund appropriations to various departments; Metropolitan Planning Organization (MPO); and INDOT funds (like the former Safe Route to Schools program).

<sup>3</sup> Because sidewalk projects, and more particularly curbs, channel water, they are part of the City’s stormwater infrastructure. The Committee has, over the years, recognized that the stormwater component of a sidewalk project frequently comprises a significant and sometimes a majority of the project cost. The amounts in this column are either fiscal or in-kind contributions from CBU. They are derived from a detailed accounting provided by Jane Fleig, Utilities Engineer covering the years 2007 to 2015, and from Committee Reports thereafter.

<sup>4</sup> The Committee recommended funding the design for a portion of Rockport Road sidewalk project that was part of a much larger road project.

2017	\$306,000	\$306,000	~\$239,000	\$0
2018	\$312,000	\$312,000	~\$14,000	\$0
2019	\$318,000	\$318,000	~\$173,500	\$45,000
2020	\$324,000	\$324,000	~\$106,000	\$0
2021	\$330,000	\$330,000	~\$0	\$0
<b>Total</b>		\$4,075,000	~\$3,200,500	~\$766,613

**Review of Previous Allocations**

Below is the list of previously-funded projects or phases of projects that were completed in 2020 or will be completed in 2021.

<b>Recent Previously-Funded Council Sidewalk Projects – Design or Construction 2020/2021</b>			
<b>Project</b>	<b>Total CSC Funding</b>	<b>Other Funds</b>	<b>Current Phase</b>
<b><u>Completed in 2020</u></b>			
<b>West Allen Street – Adams St to Patterson Dr – Traffic calming</b>	\$33,238	\$193,281.48 (P&T funding)	Completed
<b><u>To be Completed in 2021</u></b>			
<b>W. 14<sup>th</sup> Street – Madison St to Woodburn Ave</b>	\$77,431.75	\$132,337 (CDBG)	Construction anticipated Spring 2021
<b>Maxwell Street – Miller Dr to north of Short Street</b>	\$136,826	\$7,920 (P&T funding)	Construction anticipated Spring 2021
<b>Moore's Pike and Smith Rd – curb ramps &amp; crosswalks</b>	\$43,330	--	Construction
<b>South Walnut St – Winslow to Ridgeview</b>	See 2021 Recommendations		Construction
<b>Adams St – Kirkwood to Fountain</b>	See 2021 Recommendations		Out for bid

*Please note that P & T staff provide an annual Council Sidewalk Project Status Report that includes a summary of Complementary Initiatives. The Report mentions “projects from the Council Sidewalk Committee’s 2021 project prioritization list [that] have a range of design aspects that are currently either being planned, designed, or constructed outside of the Council Sidewalk Committee initiatives” and may offer opportunities for coordination of funding in the future.*

*Please note that other sidewalk and pedestrian projects are pursued by various other city departments and funded through various means.*

## **Program Criteria for Sidewalk Projects**

For more than 20 years, the Committee has used six core criteria to decide upon the funding of sidewalks. These criteria have been refined over time, but have continued to prioritize the construction (not maintenance) of sidewalks that fill in gaps in the City’s sidewalk network that will be used by, and improve the safety of, pedestrians. Here are the criteria and corresponding information in an Evaluation Matrix:

Criteria	Analytics and Information	
1) Safety Considerations	Pedestrian Level of Service (PLOS) - gauges the pedestrian experience based upon traffic volume and speed, lane width, presence and width of sidewalk, and presence, type, and width of the buffer.	
2) Roadway Classification		
3) Pedestrian Usage	Residential Density	Walkscore – an online score that gauges pedestrian demand based upon proximity to a mix of destinations. Score: 0 (car dependent) – 100 (walker’s paradise)
4) Proximity to Destinations	Transit routes and stops	
5) Linkages	Proximity to existing sidewalks as shown on Sidewalk Inventory (updated intermittently).	
6) Cost and Feasibility	Estimates provided by Engineering Dept.	

The P & T department prepares a Project Prioritization list which scores projects based upon objective measures associated with some, but not all, of the criteria. In that regard:

- The Project Prioritization list does not incorporate objective measures for Criteria 5 (Linkages or, in other words, “connectivity”) and Criteria 6 (Feasibility), and therefore, the satisfaction and weighing of those criteria were left to the judgment of Committee members.

During this funding cycle, the Committee discussed a Sidewalk Equity Audit and associated recommendations prepared by Bicycle and Pedestrian Safety Commission President Mark Stosberg and submitted to the Mayor, City Council, and various city staff members. The full audit is available online here:

<https://storymaps.arcgis.com/stories/3685e1fa75674ca5b71443543c12ca5c>.

In addition to the suggestions contained in this audit, committee members also discussed census block maps that were created by P & T staff and submitted to the Committee for consideration. The Committee discussed potential revisions to the program criteria and related objective factors, and, while no formal changes were implemented this year, the Committee indicated it would like P & T staff to consider and recommend what additional or different metrics are available and best suited to objectively measure the criteria the Committee values in new projects. Any suggested changes to the analytics should be communicated to councilmembers and staff.

## **Setting Priorities after Accounting for Shortfalls and Reviewing the Project Prioritization list**

Along with reviewing and addressing funding for ongoing projects, the Committee consulted the Project Prioritization list (attached) to examine and confirm its existing priorities and identify new ones. The Project Prioritization list contains ~58 proposed projects, including two new requests and two on-going projects (along with a number of projects that should be removed from the list moving forward). After receiving guidance from the Committee, P&T provided or confirmed rough design/right-of-way/construction estimates for the top ten ranked sidewalk segments that were not already funded or completed. At the end of its deliberations, the Committee recommended allocations for: construction of one previously funded sidewalk project; completion of design of two sidewalk projects (one new project and one that had previously been partially funded for design); and, resident-led traffic calming projects prioritized through the recently-adopted Traffic Calming and Greenways Program (info about the program available online: <https://bloomington.in.gov/tcgp>).

### **Changes to the Project Prioritization list – Addition and Removal of Projects**

- 2 new projects (N. Dunn from 15<sup>th</sup> St. to 16<sup>th</sup> St. & N. Crescent Rd from Fountain Dr. to Marquis Dr.) were requested by either the public, staff, or committee members and added to the Project Prioritization list for 2021. *(Please see the Council Sidewalk Committee Packet for a description of the requests.)*
- P & T staff noted several projects on the Project Prioritization list that had been fully funded through other sources or that had already been constructed. These projects should be removed from the list for next year.

### **Funding Recommendations for 2021**

#### **Previously-Funded Sidewalk Projects**

- **Sidewalk Construction – S. Walnut Street – Winslow to Ridgeview – East Side – Rank #30**

The Committee previously discussed and recommended design funding for this project in 2020. This project was a request added to the Project Prioritization list in 2020, submitted by a member of the public, and was ranked #12 on the list last year. The request pointed out that recent increases in traffic on South Walnut had made it harder for pedestrians to cross the street to the sidewalk that now runs along the west side of the street south of Country Club. The 2020 Sidewalk Committee discussed crossing locations for pedestrians along Walnut. Staff had also identified this project as worthy of consideration, given the high density. This year, the Committee recommends funding construction of the sidewalk at an estimated cost of \$210,000.



- **Sidewalk Design and Right-of-way Acquisition – Adams Street – Kirkwood to Fountain – West Side – Rank #51**

The Committee previously discussed and recommended design funding for this project in 2020. This project was a new request for 2020 (ranked #35 on the list last year), and came out of a public meeting held by the Planning and Transportation Department about the Adams Street sidewalk connection between 3<sup>rd</sup> Street and Kirkwood Ave. Staff noted there was no sidewalk on the west side of the street for the section from Kirkwood to 11th Street, with some small portions existing. Given the complexity of constructing a sidewalk near the railroad truck, the Committee limited the scope of the project to the stretch of Adams Street between Kirkwood and Fountain. At the suggestion of staff, the 2020 Committee recommended \$31,000 to partially fund design. However, as the lowest prioritized project for 2020, it was understood that additional design and right-of-way funding would likely be needed. This year, the Committee recommends allocating \$66,000 to fund the remainder of the design work and right-of-way acquisition. The estimated cost of construction (not included in this recommendation) is \$146,000.

### **New Sidewalk Projects**

- **Sidewalk Design and Right-of-way Acquisition – Dunn Street – 15<sup>th</sup> St to 16<sup>th</sup> St – West Side – Rank #3**

This project was a new request for 2021, and was added to the list at the suggestion of P & T staff, who noted that they had received complaints about the missing section of sidewalk in the past. In light of nearby improvements on 17th and Dunn that would be completed this summer, staff recommended funding for design and right-of-way acquisition for this project. The Committee recommends allocating \$41,000 toward this project (an estimated \$28,000 for design and \$13,000 for right-of-way acquisition). The estimated cost of construction (not included in this recommendation) is \$87,000.

### **Traffic Calming Projects**

In the last few years, the Committee has been rethinking its approach towards traffic calming projects. This change occurred primarily as the result of seeing allocations for traffic calming projects significantly reduce funding for sidewalk projects. But it was also aided by the experience of staff who are experimenting with the use and installation of traffic calming devices outside of the Neighborhood Traffic Safety Program. In 2020, the City implemented a new Traffic Calming and Greenways Program (TCGP). This year, P&T staff suggested that the Committee recommend allocating funds to be made available for resident-led TCGP projects in 2021. After discussing funding for sidewalk projects, the Committee recommended applying \$13,000 toward resident-led projects that would be prioritized using the new TCGP process.

## **Order of Priorities for Project Funding**

As it has done in past years, given the uncertainty surrounding actual costs for design/ROW/construction, the Committee has ranked its recommended projects in order of priority (1 being the highest priority project, 2 being the next highest priority project, etc.). Within the parameters of the Committee's established Overage Policy, this ranking provides guidance to staff on which projects should be fully funded first. As a reminder, the Committee's Overage Policy allows staff to shift as much as 20% of the estimated project costs from one project to another upon approval of the Chair (after consultation with the Committee). Shifts of more than \$45,000 over the project estimate must be approved by the Committee.

## **Summary of Actions**

In summary, during the course of its 2021 deliberations, the Committee:

- Agreed that Cm. Smith would serve as Chairperson;
- Provided an opportunity for committee members or staff members to disclose any potential conflicts of interest for those who might own or reside in homes along sidewalk projects on the Committee's Project Prioritization list;
- Heard a progress report regarding on-going projects;
- Discussed and received public comment on the Committee's criteria and objective factors used to rank projects;
- Reviewed the Project Prioritization list and provided an opportunity for public comment;
- Recommended the allocation of \$330,000 in ATF monies for the completion of one ongoing sidewalk project, the continued design and right-of-way acquisition for one ongoing sidewalk project, the design of one new sidewalk projects, and the contribution of funds toward new, resident-led TCGP projects – *See Funding Recommendations (attached)*.
- Approved minutes for the 2020 funding cycle meetings and authorized the Chair to correct and approve the minutes for the 2021 meetings after providing committee members and staff an opportunity to review and comment on them;
- Authorized submittal of a Committee Report to the Council (after signatures have been obtained by a majority of Committee members).

**COUNCIL SIDEWALK COMMITTEE (COMMITTEE) RECOMMENDATIONS FOR 2021**  
**- FUNDS AVAILABLE: \$330,000**

- **Alternative Transportation Fund (ATF)** Use the \$330,000 of Alternative Transportation Funds appropriated in 2021 for sidewalk and traffic-calming initiatives recommended by the Committee.
- *Note: The Committee prioritized funding for the projects in order to provide guidance to staff in the event funding shortages prevented completion of all recommendations. See Priority column and attached Narrative for details.*
- **CBU Assistance with Storm Water Component of Council Sidewalk Committee Projects**  
 CBU evaluates the stormwater component of projects and, when able, offers some in-kind contributions when these projects align with CBU stormwater priorities.
- *Note: Occasionally, in past years, allocations from the previous year remained unspent and the Committee made recommendations about its use should an additional appropriation be proposed. No funds were identified for additional appropriation and, therefore, the shaded column remains empty. Additionally, no CBU in-kind contributions were identified for sidewalk construction projects recommended by the Committee for 2021.*

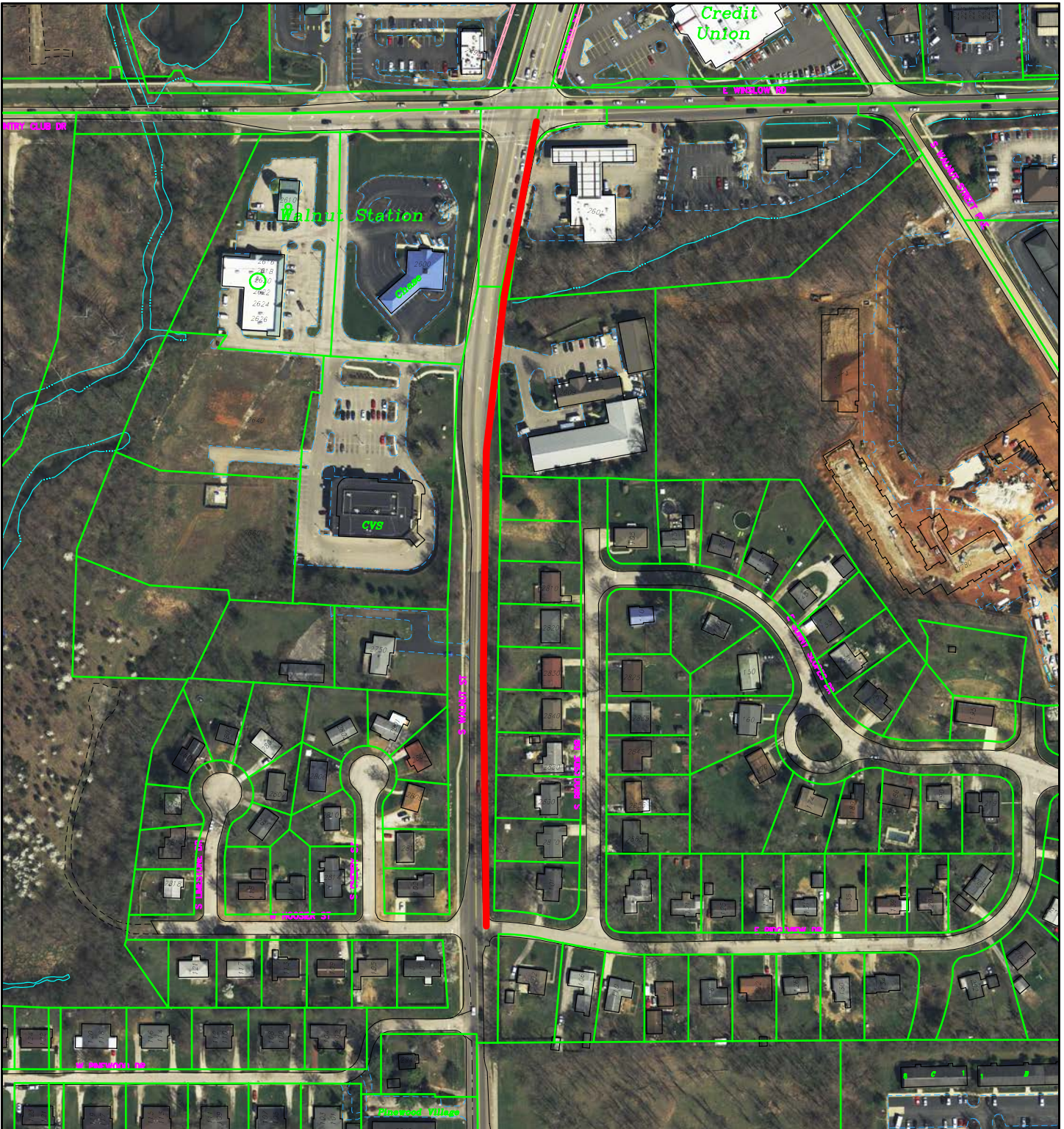
Project	ATF	<u>ATF</u> <u>(Additional</u> <u>Amounts – Should</u> <u>They be</u> <u>Appropriated)</u>	<u>CBU</u>	<u>OTHER</u> <u>FUNDS</u>	<u>Priority</u>
<b><u>Sidewalk Projects</u></b>					
<b>Design/ROW acquisition of sidewalk; Dunn St – from 15<sup>th</sup> St. to 16<sup>th</sup> St. (west side)</b> <b>Estimated Costs<sup>1</sup></b> Right-of-Way: \$13,000 Design: \$28,000	<b>\$41,000</b>		<b>\$0</b>	<b>\$0</b>	<b>1</b>
<b>Construction of sidewalk: S. Walnut St. – from E. Winslow Rd. to Ridgeview Dr. (east side)</b> <b>Estimated Costs</b> Right-of-Way: \$0 Construction: \$210,000	<b>\$210,000</b>		<b>\$0</b>	<b>\$0</b>	<b>2</b>
<b>Remainder of design/ROW acquisition of sidewalk: Adams St. – from W. Kirkwood Ave to Fountain Dr. (west side)</b> <b>Estimated Costs<sup>2</sup></b> Remainder of Design: \$26,000 Right-of-Way: \$40,000	<b>\$66,000</b>		<b>\$0</b>	<b>\$0</b>	<b>3</b>
<b><u>Traffic Calming</u></b>					
<b>General Traffic Calming and Greenways Program Resident-led Projects</b> <b>Estimated Costs</b> Prioritized resident-led projects: \$13,000 <sup>3</sup>	<b>\$13,000</b>		<b>\$0</b>	<b>\$0</b>	<b>4</b>
<b>2021 ALLOCATION</b>	<b>\$330,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	
<b>Note: The Committee recognizes that the allocations for each project are estimates and may change. The allocations are intended to establish priorities and keep expenditures within appropriations. According to a motion adopted in 2018, the Committee amended its Overage Policy to give staff latitude to shift as much as 20% of the estimated project costs from one project to another upon approval of the Chair (after consultation with the Committee). Shifts of more than \$45,000 over the project estimate must be approved by the Committee.</b>					

<sup>1</sup> Engineering staff gave \$87,000 as a rough, conceptual estimate of construction costs for this project, which are not part of the 2021 Committee recommendations.

<sup>2</sup> Engineering staff gave \$146,000 as a rough, conceptual estimate of construction costs for this project, which are not part of the 2021 Committee recommendations.

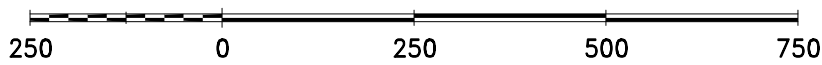
<sup>3</sup> To be used toward resident-led TCGP projects prioritized pursuant to that program’s methodology – more info at <https://bloomington.in.gov/tcgp>.



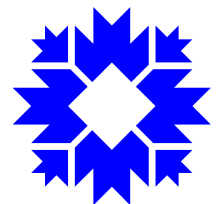


Council Sidewalk Committee Request -- 2020  
 Sidewalk East Side of South Walnut from E Winslow Rd to E Ridgeview Drive

By: oneillm  
 12 Jun 19



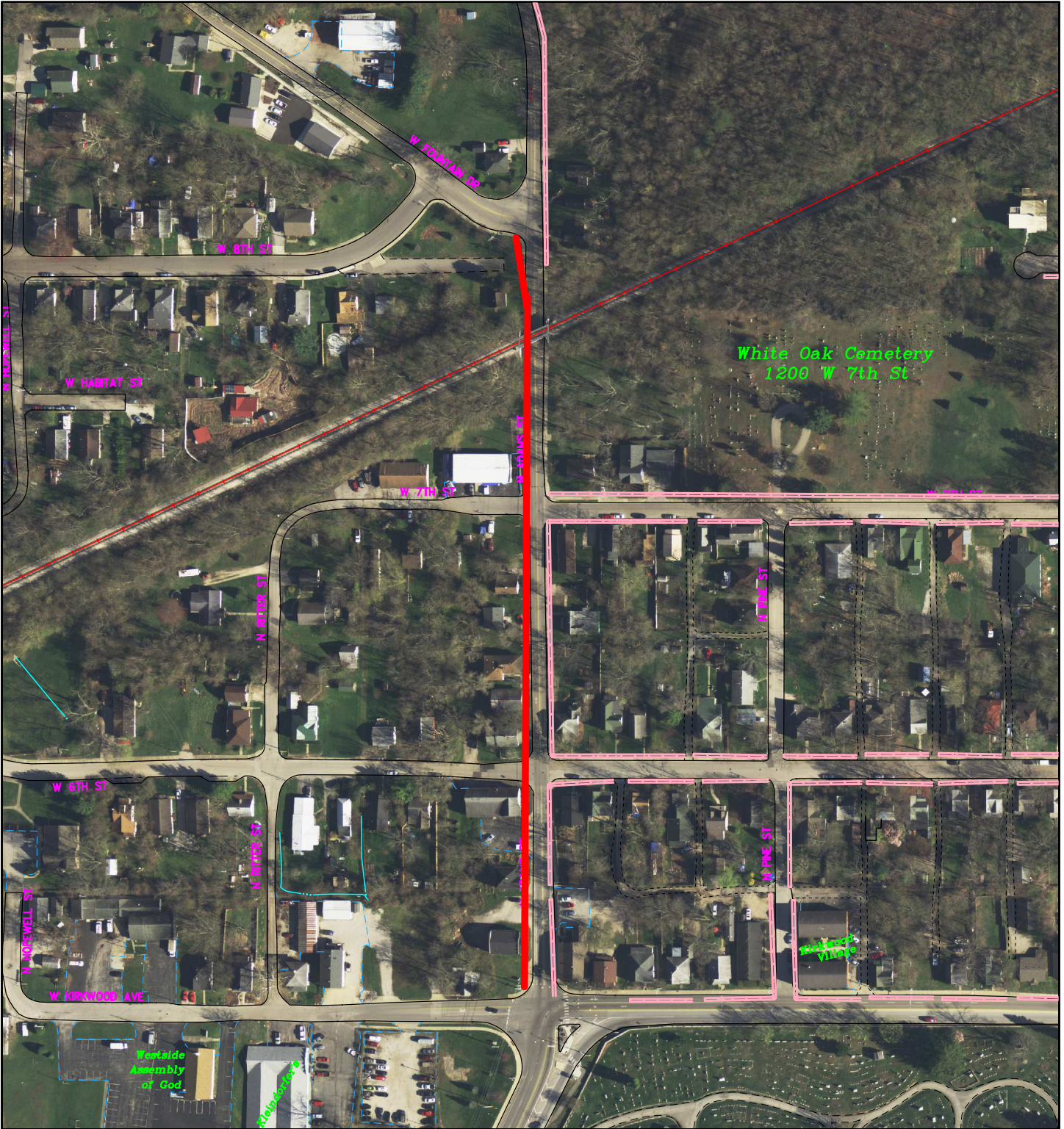
City of Bloomington  
 Council Office



Scale: 1" = 250'

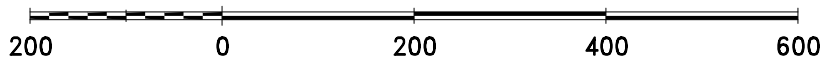
For reference only; map information NOT warranted.





Adams Street - Kirkwood to Fountain

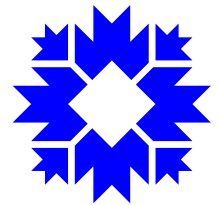
By: lucass  
24 Jan 20



For reference only; map information NOT warranted.

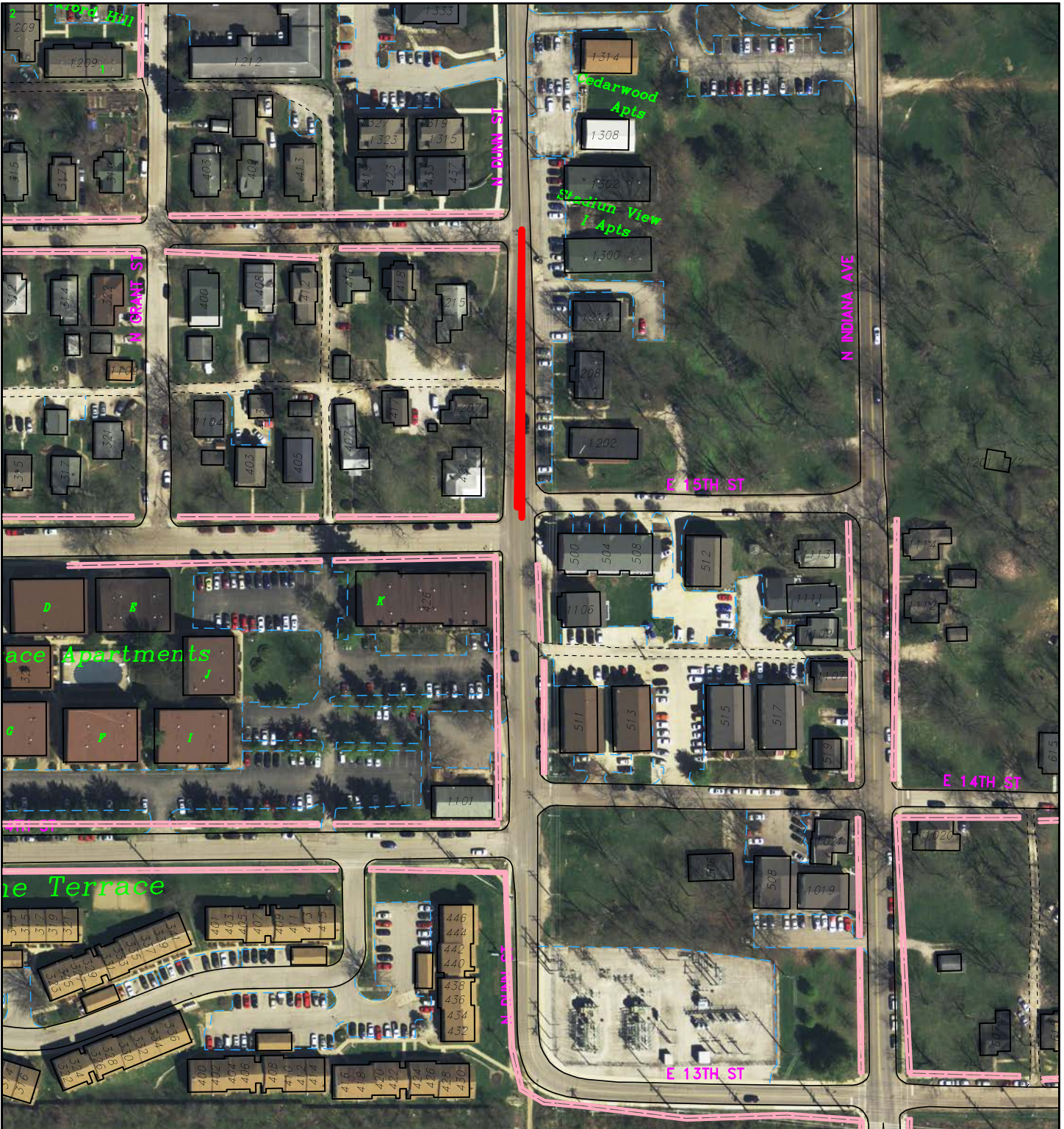


City of Bloomington  
Council Office



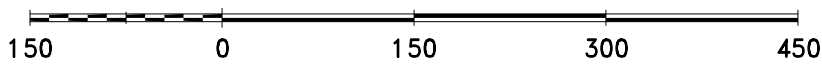
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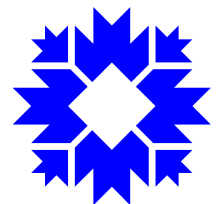


2020 sidewalk request – Dunn St (from 15th St to 16th St)

By: lucass  
30 Nov 20



City of Bloomington  
Council Office



Scale: 1" = 150'

For reference only; map information NOT warranted.

## Council Sidewalk Committee Policies

### Criteria for Selecting Sidewalk Projects

- Safety Considerations -- A particular corridor could be made significantly safer by the addition of a sidewalk.
- Roadway Classification -- The amount of vehicular traffic will increase the likelihood of pedestrian/automobile conflicts, which a sidewalk could prevent. Therefore, arterial and collector streets should be a priority for linkages over residential/subdivision streets.
- Pedestrian Usage -- Cost-effectiveness should be based on existing and projected usage.
- Proximity to Destination Points -- Prioritization of linkages should be based on proximity to destinations such as elementary schools, Indiana University, employment centers, shopping opportunities, parks/playgrounds, etc.
- Linkages -- Projects should entail the construction of new sidewalks that connect with existing pedestrian facilities.
- Costs/Feasibility -- Availability of right-of-way and other construction costs must be evaluated to determine whether linkages are financially feasible.

### **History of Revisions**

These criteria first appeared in a memo entitled the *1995 Linkages Plan – Criteria for Project Selection/Prioritization* and have been affirmed and revised over the years.

- On October 16, 2006, the Committee added “Indiana University” as another “destination point” under the fourth criteria (Proximity to Destination Points). At that time, it decided not to explicitly recognize “synergy” as another criteria, because it was already being considered as a factor under the fifth criteria (Costs/Feasibility).
- On January 4, 2008, the Committee added the fifth criteria defining “Linkages.”
- On November 12, 2009, the Committee revised “Proximity to Destination Points” to clarify that the list was illustrative and included “employment centers” among other destinations.

## **Other Policies**

### Overage Policy

Each year the Committee Report uses estimates submitted by City Engineering to allocate funds between projects. Even with a 10% contingency, these estimates are sometimes far-off the bid for, or actual cost of, the project. The 2018 Committee revised the “overage policy” whereby allocations in excess of 25% of the project estimate must be approved by the current chair in consultation with the Committee and any additional allocation in excess of \$45,000 over the project estimate must be approved by the Committee.



## Council Sidewalk Criteria – Application of Emerging Objective Factors

Criteria	Elaboration	Plan Department’s Effort to Create Data, Objective Factors, and a Ranking Formula	
1. Safety	A particular corridor could be made significantly safer by the addition of a sidewalk	Pedestrian Level of Service (PLOS)	
2. Roadway Classification	The amount of vehicular traffic will increase the likelihood of pedestrian/automobile conflicts, which a sidewalk could prevent. Therefore, arterial and collector streets should be a priority for linkages over residential/subdivision streets.	<p style="text-align: center;">This score gauges the pedestrian experience based upon traffic volume and speed, lane width, presence and width of sidewalk, and presence, type, and width of the buffer.</p> <p style="text-align: center;">1 (High /A) – 5 (Low/ F) (where C is “pretty comfortable”)</p> <p><i>Note: Because the absence of a sidewalk is a large factor in the PLOS score, all but one of these scores fall in the very close range of 3.26 – 4.23. Also, PLOS doesn’t work well with off-street facilities.</i></p>	
3. Pedestrian Usage	Cost-effectiveness should be based on existing and projected usage.	<p style="text-align: center;">Density (0 – 1,863)</p> <p>This score was derived from the maximum densities allowed in the zoning districts located within 1/8<sup>th</sup> mile of the center-point of the sidewalk project (assuming 2 persons per unit [based upon census data] and 1 person per bedroom).</p>	<p style="text-align: center;">Walk Score</p> <p>0 (Car-Dependent) – 100 (Walkers’ Paradise)</p> <p>This score gauges pedestrian demand based upon proximity to a mix of commercial destinations, but doesn’t account for demographic factors.</p>
4. Proximity to Destination Points	Prioritization of linkages should be based on proximity to destinations such as elementary schools, Indiana University, employment centers, shopping opportunities, parks/playgrounds, etc.	<p style="text-align: center;">Transit (0 – 247)</p> <p>This score was derived from passenger per hour per route data from Bloomington Transit and averaging techniques to “smooth the data”; then 1/8 and 1/4 mile zones were created along the routes with the 1/8 mile zone weighted at twice the value of the 1/4 mile zone.</p>	<p style="text-align: center;">Overall Project Ranking =</p> <p style="text-align: center;">Walk Score Rank + Pedestrian Level of Service (PLOS) Rank + Transit Route Score Rank + Density Rank  =</p> <p style="text-align: center;">Score</p> <p style="text-align: center;">(Lowest Score = Highest Rank)</p> <p style="text-align: center;">***</p> <p><i>Note: All the above were weighed equally.</i></p>
5. Linkages	Projects should entail the construction of new sidewalks that connect with existing pedestrian facilities.	Sidewalk Inventory	
6. Costs/ Feasibility	Availability of right-of-way and other construction costs must be evaluated to determine whether linkages are financially feasible.	<p style="text-align: center;">Project Costs</p> <p>were based upon \$25/lineal foot for a monolithic sidewalk and \$50/lineal foot for a separated sidewalk (and not based upon more refined estimated costs that account for terrain, stormwater, right-of-way, and other factors).</p>	

**2021 Council Sidewalk Committee - Initial Project Prioritization**

	Street	Year added	Description	Project Length (approx.)	Walk Score (potential ped usage)	WS Rank	PLOS Score	PLOS Rank	Transit Route Score	Transit Route Rank	Density Score	Density Rank	Rank Sum	Overall Project Rank (2021)
CS-04	Indiana Ave. (2016)	2016	NW Corner 3rd St. & Indiana Ave.	268	91	1	2.95	15	633	1	1,193	4	21	1
CS-63	S Overhill Dr	2019	E. 3rd Street to E. 5th Street	590	80	2	2.26	9	243	5	504	24	40	2
CS-68	North Dunn	2020	15th to 16th Street	295	65	11	2.98	17	159	13	1,229	2	43	3
CS-13	Gourley Pk. (2016)	2016	College/Old SR37 to Kinser Pike	1,084	66	10	2.93	14	194	10	930	14	48	4
CS-25	Palmer St. connector path		Wylie St. to 1st St.	529	75	4	1.50	1	146	14	328	30	49	5
CS-06	19th St. (2011)	2011	Walnut St. to Dunn St.	1,120	68	9	3.48	31	178	11	1,229	2	53	6
CS-68	Range Rd.	2019	10th St. to Range Rd. curve	1,467	45	26	2.97	16	223	7	934	13	62	7
CS-31	Allen St. (2015)	2015	Henderson St. to Lincoln St.	1,184	72	6	1.99	3	113	25	302	32	66	8
CS-27	Wylie St. (2013)	2013	Lincoln St. to Henderson St.	1,150	76	3	2.33	10	121	21	301	33	67	9
CS-05	14th St.		Madison St. to Woodburn Ave.	450	75	4	3.58	38	220	8	769	18	68	10
CS-59	S Fess Ave	2019	Bryan Park to E. Hillside Drive	815	54	22	2.07	4	134	15	350	29	70	11
CS-28	Mitchell St. (2016)	2016	Maxwell Ln. to Atwater Ave.	1,890	57	17	2.91	13	265	3	282	37	70	11
CS-21	Clark St.		3rd St. to 7th St.	1,390	70	7	3.25	24	131	17	360	28	76	13
CS-23	8th St. (2017)	2017	Jefferson St. to Hillsdale Dr.	938	63	12	3.16	23	230	6	284	36	77	14
CS-60	S Stull Ave	2019	Bryan Park to E. Hillside Drive	985	42	29	1.96	2	125	20	314	31	82	15
CS-19	17th St. (2012)	2012	Crescent Street to College Ave.	5,500	9	55	2.46	12	216	9	996	8	84	16
CS-29	Palmer St. (2019)	2019	Grimes Lane to 1st Street	2,150	63	12	2.99	18	113	25	285	35	90	17
CS-57	E. Morningside Drive	2019	N. Smith Road to E. 3rd Street	2,690	57	17	2.11	6	118	22	218	45	90	17
CS-40	Franklin Dr. (2017)	2017	3rd St. to Fairfield Dr.	148	48	23	2.38	11	49	46	943	12	92	19
CS-58	S Park Ave	2019	Bryan Park to E. Hillside Drive	1,287	45	26	2.08	5	116	24	281	38	93	20
CS-15	5th St.		Union St. to Hillsdale Dr.	1,671	69	8	3.52	34	131	18	298	34	94	21
CS-09	Gourley Pk. (2017)	2017	Kinser Pike to Monroe St.	2,900	44	28	3.62	41	126	19	1,083	6	94	21
CS-26	Bryan Ave. (2013)	2013	3rd St. to 7th St.	1,400	59	16	3.34	26	90	32	539	23	97	23
CS-64	E Grimes Ln	2019	S. Lincoln Street to alley west of S. Dunn Street (south side)	742	60	15	3.66	44	132	16	412	26	101	24
CS-08	Smith Rd. (2011)	2011	Grandview Dr. to 10th St.(west)	1,352	33	38	3.63	42	260	4	771	17	101	24
CS-32	W. 3rd St. (2018)	2018	Walker St. to ~240 ft. west	240	46	25	3.12	22	79	35	597	21	103	26
CS-61	E Sheffield Dr	2019	N. Plymouth Road to N. Park Ridge Road	693	38	33	2.22	8	162	12	134	51	104	27
CS-45	Oakdale Dr. (2018)	2018	Oakdale Sq. to Bloomfield Rd.	1,350	34	35	3.04	21	80	34	792	16	106	28
CS-16	N. Indiana (2015)	2015	15th St. to 17th St.	409	57	17	3.61	39	76	38	881	15	109	29
CS-62	S Walnut St	2019	E. Winslow Road to E. Ridgeview Drive (east side)	1,403	56	20	3.72	48	111	27	729	19	114	30
CS-11	Jefferson St.		3rd St. to 7th St.	1,375	62	14	3.66	45	97	29	393	27	115	31
CS-12	E. 10th St. (2015)	2015	Grandview Dr. to Russell Rd.	2,390	26	43	4.01	56	268	2	571	22	123	33
CS-14	Miller Dr.		Huntington Dr. to Olive St.	423	32	39	3.66	45	82	33	1,191	5	122	32
CS-36	Fee Ln. (2015)	2015	SR 45/46 to Lot 12 Entrance	1,353	15	52	3.44	29	48	47	5,400	1	129	34
CS-17	Walnut St.		Hoosier St. to Force Fitness driveway	369	47	24	3.74	49	34	50	986	11	134	35
CS-69	N. Crescent Road	2020	Fountain Drive to Marquis Drive	994	5	57	3.57	37	79	35	996	8	137	36
CS-30	W. Allen St. (2018)	2018	Strong Dr. to Adams St.	1,320	42	29	3.89	52	73	39	662	20	140	37
CS-65	E Elliston Dr	2019	S. Bainbridge Drive to Sherwood Oaks Park	1,695	12	53	2.14	7	63	42	248	39	141	38
CS-34	Cory Ln. (2015)	2015	2nd St. to 3rd St.	2,332	25	45	3.61	40	48	47	987	10	142	39
CS-38	Arlington Rd. (2018)	2018	Monroe St. to Prow Rd.	5,150	11	54	3.49	33	28	51	1,029	7	145	40
CS-37	Nancy St.		Hillside Dr. to Mark St.	878	23	46	3.48	32	94	30	235	42	150	41
CS-39	Smith Rd. (2011)	2011	Hagan St. to Brighton Ave. (west)	1,817	29	41	3.56	35	118	22	122	52	150	41
CS-50	E. Wimpleton Ln. (2018)	2018	High St. to Montclair Ave.	1,040	17	50	3.03	19	79	35	164	47	151	43
CS-35	Walnut St. (2013)	2013	SR 45/46 to 500 ft N of Fritz Dr	2,300	40	31	3.65	43	18	53	481	25	152	44
CS-67	S. Maxwell St	2019	E. Miller Dr to E. Short Street	1,020	21	49	3.03	19	45	49	246	40	157	45
CS-44	Graham Dr. (2011)	2011	Rockport Rd. to Rogers St.	1,815	23	46	3.34	27	58	44	234	43	160	46
CS-49	Woodlawn Avenue (2017)	2017	Weatherstone Ln. to Maxwell Ln.	1,328	56	20	3.56	36	21	52	86	53	161	47
CS-18	Moore Pk.		Valley Forge Rd. to High St.	1,060	34	35	4.17	58	107	28	240	41	162	48
CS-48	S. Highland (2015)	2015	Winslow Park Parking to Sidewalk	755	26	43	3.45	30	55	45	158	48	166	49
CS-20	High St.		Covenanter Dr. to 2nd St.	2,622	40	31	4.01	55	93	31	156	49	166	49
CS-66	Adams St	2019	W Kirkwood to 11th Street (west side)	2,338	37	34	3.67	47	63	42	222	44	167	51
CS-33	Curry Pike (2017)	2017	SR 45 to Beasley Dr.	2,638	34	35	3.92	53	68	41	207	46	175	52
CS-54	N. Dunn St. (2015)	2015	Tamarack Trail to Lakewood Dr.	3,602	30	40	3.41	28	0	55	64	56	179	53
CS-52	Ramble Rd.		Ramble Rd. to Dunn St.	875	6	56	3.26	25	0	55	86	53	189	54
CS-43	Winslow Rd. (2017)	2017	High Street to Xavier Ct.	1,524	17	50	3.95	54	69	40	152	50	194	55
CS-47	Dunn St.		SR 45/46 to Tamarack Tr.	2,044	27	42	3.83	50	7	54	74	55	201	56
CS-41	Rhorer Rd.		Walnut St. to Sare Rd.	4,775	23	46	4.06	57	0	55	69	56	214	57
CS-51	Kinser Pk.		north of Acuff Rd.	1,595	3	58	3.83	50	0	55	40	53	216	58

\*\*\* Green rows indicate projects funded in 2020, and may be ongoing

\*\*\* See the index (which follows this sheet in the materials) for a list of recently completed projects and recently removed proposals

New to be added in 2022:

CS-68	North Dunn	2020	15th to 16th Street
CS-69	N. Crescent Road	2020	Fountain Drive to Marquis Drive

**A HISTORY OF COUNCIL SIDEWALK COMMITTEE FUNDS, 2002-2021**

**2021**

Site	Estimate	Recommendation	Possible Additional Appropriation	Comments
Sidewalk - Dunn Street - from 15th St. to 16th St. (West Side)	\$128,000.00	\$41,000.00		This sidewalk project was new to the Committee in 2021. P&T staff identified this segment as a priority and noted members of the public had expressed concerns about this missing section as well. The cost estimate for the sidewalk totaled \$128,000 (\$28,000 for design, \$13,000 for right of way services and acquisition, and \$87,000 for construction).
Sidewalk - Walnut Street - from Winslow to Ridgeview (East Side)	\$210,000.00	\$210,000.00		This project received design funding from the committee in 2020. The project was requested by a resident, who submitted a request for a sidewalk along the east side of the street given the difficulty in crossing a busy road to get to the sidewalk on the west side of the street. Staff also identified this project as worthy of consideration for funding. The cost estimate to complete construction of the segment is \$210,000
Sidewalk - Adams Street - from Kirkwood to Fountain (West Side)	\$211,873.00	\$66,000.00		This sidewalk was previously discussed and prioritized by the Committee in 2020. It received partial design funding that year, and awaits funding for the remainder of design work (est. at \$25,873), right of way services and acquisition (est. at \$40,000), and construction (est. at \$146,000). In 2020, staff identified this project as one they would prioritize, though staff also cautioned the committee against expanding the scope of the project farther north, which could complicate the project given the nearby railroad crossing. The Committee recommends providing \$66,000 to fund the remainder of the design work as well as right of way services and acquisition.
Traffic Calming - resident-led traffic calming projects prioritized through the Traffic Calming and Greenways Program	\$13,000.00	\$13,000.00		Rather than identify and fund any particular traffic-calming project, this allocation follows from a recommendation from staff to use remaining 2021 funding to help support resident-led traffic calming projects identified and prioritized through the recently-adopted Traffic Calming and Greenways Program. The \$13,000 recommended for this purpose was the amount remaining after providing funding for various work described above for three sidewalk projects.

**2020**

Site	Estimate	Recommendation	Possible Additional Appropriation	Comments
Sidewalk - S. Maxwell Street - from E. Miller Dr. to north of Short Street (West Side)	\$123,000.00	\$123,000.00		This project received \$13,000 in design funding in 2018. At that time, a Planned Unit Development for a co-housing project in the area raised concerns about increased vehicular traffic. The Committee believed a sidewalk on the west side of Maxwell Street might help mitigate any adverse impacts. The cost estimate for the sidewalk totaled \$123,000 (\$8,000 for right of way services and acquisition and \$115,000 for construction).
Sidewalk - 14th Street - from Madison to Woodburn (North Side)	\$156,000.00	\$50,000.00	\$106,000.00	This one-block sidewalk project is ranked #4 on the Committee's Evaluation Sheet. It would provide a missing link in sidewalks which currently connect with South College to the east and North Madison on the west. HAND staff indicated that the project might be a good fit for Community Development Block Grant (CDBG) funding, and an application for funding was submitted in 2019. Awarded funding from CDBG will not be known until Feb 2020. It was the Committee's hope that the project would received at least partial funding from CDBG that would allow the project to move forward with an allocation of \$50,000 from the Sidewalk Committee (with a total estimated construction cost of \$156,000).

Sidewalk - Walnut Street - from Winslow to Ridgeview (East Side)	\$239,000.00	\$32,000.00		This sidewalk request was new to the Committee in 2020. A resident submitted a request for a sidewalk along the east side of the street, given the difficulty in crossing a busy road to get to the sidewalk on the west side of the street. Staff also identified this project as worthy of consideration for funding. The project was estimated to cost approximately \$239,000 (Design: \$32,000, Right-of-way: \$0; Construction: \$207,000).
Sidewalk - Adams Street - from Kirkwood to Fountain (West Side)	\$240,000.00	\$31,000.00		This sidewalk request was also new to the Committee in 2020. Staff identified this project as one they would prioritize, though staff also cautioned the committee against expanding the scope of the project farther north, which could complicate the project given the nearby railroad crossing. The project was estimated to cost approximately \$240,000 (Design: \$45,000; Right-of-way: \$49,000; and Construction: \$146,000). The Committee's recommendation of \$31,000 was meant to provide staff with enough funding to begin design work on the project.
Traffic Calming -Graham Drive/Broadview Neighborhood	\$60,000.00	\$60,000.00		This allocation follows from previous committee allocations for temporary traffic-calming devices used in the Broadview Neighborhood. Assuming nearby residents support installation of permanent traffic calming devices, this allocation provides funding to install such devices.
Traffic Calming/Pedestrian Crosswalk improvements - Intersection of E. Moores Pike/Smith Road	\$28,000.00	\$28,000.00		This intersection was brought to the Committee's attention by Committee member Rollo, who pointed out that the sidewalk on Moores Pike west of Smith Rd (north side) does not align with the sidewalk east of Smith Rd. (south side). He suggested a crosswalk with signage or other improvements to permit safe crossing for pedestrians to cross at that intersection to continue on the existing sidewalks. This allocation is intended to accomplish this purpose. Staff estimated that design for the project would cost \$8,000 and construction would cost \$20,000.
Total	\$846,000.00	\$324,000.00	\$106,000.00	The Committee should learn the CDBG funding allocations in February 2020. The Committee also indicated its order of priorities for the 2020 projects to provide guidance to staff in the event CDBG funding comes back lower than needed to complete the 14th Street project.

2019				
Site	Estimate	Recommendation	Possible Additional Appropriation	Comments
Sidewalk - 14th Street - from Madison to Woodburn (North Side)	\$186,000.00	\$30,000.00	\$156,000.00	This one-block sidewalk project is ranked #4 on the Committee's Evaluation Sheet. It would provide a missing link in sidewalks which currently connect with South College to the east and North Madison on the west. Staff noted that there would be stormwater issues on the north and an impact on parking and properties on the south. HAND staff indicated that the project might be a good fit for Community Development Block Grant (CDBG) funding. At suggestion of staff, the Committee agreed to recommend \$30,000 to fund design this year, with the prospect of CDBG funding construction in 2020. The estimated cost of construction is \$156,000.
Sidewalk - Moores Pike - from College Mall Road to Woodruff (South Side)	\$136,880.00	\$195,000.00	\$0.00	Moores Pike east of College Mall Road is a busy road with neighborhoods to the south without a sidewalk to the intersection with College Mall Road. In 2009, the Committee funded a sidewalk from Andrews Circle to an existing sidewalk to the east, but was stymied by the estimated cost for widening the roadway at its approach to the intersection. In 2017, the Committee requested new estimates which, with use of the existing roadway, brought down the costs. After allocating \$41,880 for design in 2016, the Committee allocated \$195,000 in 2019 for construction.
Sidewalk - Mitchell Street – from Maxwell Lane to Circle Drive (East Side)	\$285,503.00	\$73,200.00	\$45,000.00	The bids for construction of this project were higher than expected (see 2018) and the Committee recommended allocation of an additional \$73,200 (over the \$136,808 previously allocated for this project) toward this project in 2019, with P & T funding the shortfalls in the other projects. It is anticipated that construction will be completed in 2019. Note that CBU has agreed to contribute \$45,000 toward the stormwater component of this project. Based upon work done so far, the phases/components of the project, have or will cost as follows: Design (\$35,828), Right-of-Way (\$0), Sidewalk Construction (\$249,675), and stormwater improvements (\$45,000 – via CBU).
Traffic Calming - W. Allen Street - from Patterson Drive to Adams Street	\$35,000.00	\$17,500.00	\$17,500.00	This segment of W. Allen came forward as a request for a sidewalk in 2018. P&T staff studied the area and observed high speeds, poor visibility in certain areas, and transit stops. The traffic calming should make crossing the street safer for transit users and would likely take the form of speed humps. Staff assured the Committee that public outreach would be part of this project. After hearing from P&T staff, the Committee agreed to allocate \$17,500 to join the \$17,500 to be contributed by P & T.
Crosswalk - Intersection of S. Mitchell Street and E. Maxwell Lane	\$2,300.00	\$2,300.00	\$0.00	In the past, and in conjunction with its discussion of pedestrian facilities on S. Mitchell Street south of E. Maxwell Lane, the Committee has explored the installation of a crosswalk at this intersection. The rise of the hill and intersection with Jordan Avenue and Maxwell Lane to the west create potential vehicular/pedestrian conflicts at this intersection. For this reason, the Committee allocated \$2,300 for a crosswalk at this location.
Total	\$931,186.00	\$318,000.00	\$173,500.00	

2018				
Site	Estimate	Recommendation	Possible Additional Appropriation	Comments
Moore's Pike and Clarizz Boulevard - Pedestrian Crossing	\$95,000.00	\$81,000.00		In 2016, when discussing the request for sidewalk on the south side of Moore's Pike at the intersection of College Mall Road, the Committee also looked further east to Clarizz Boulevard and beyond, where there are sidewalks on the north but none on the south. The Committee thought a pedestrian crossing at Clarizz Boulevard would provide some connectivity, but the costs would only be known after an evaluation of what might be done at that intersection. That evaluation was completed in 2017 and proposed the removal of a left-turn lane for eastbound traffic and a possible rectangular rapid flashing beacon, if needed, after experience with usage of the crossing. Costs for the project are expected to include: Evaluation (\$10,710), Engineering (\$20,000), Possible Temporary Right-of-Way (\$ unknown), and Construction (\$75,000). After learning that P & T would contribute up to \$14,000 toward the project, the Committee recommended funding \$81,000 of the \$95,000 needed to complete the project this year.
Walnut Street - Winston/Thomas to National Guard Armory - Sidewalk (West Side)	\$63,000.00	\$63,000.00		In 2003, the Committee began funding missing sidewalks on the west side of South Walnut between Country Club and Rhorer roads, where commercial centers with grocery stores are located at each intersection. It started on the north end, progressed as far as Pinewood, and the Committee has continued to discuss filling in the gaps to the south. In 2016, the Committee reviewed those gaps in sidewalks and sought an estimate for this segment. Total cost of the project would be about \$95,750 – Design (\$32,750), Right-of-Way (\$0) and, Construction (\$63,000). The Committee recommended funding construction this year (\$63,000).
Mitchell Street - Maxwell Lane to Circle Drive - Sidewalk (East Side)	\$198,000.00	\$153,000.00		This sidewalk would serve pedestrians who, due to previous Committee recommendations, have sidewalks on the south at Circle Drive and sidewalks on the north along Maxwell Lane. In 2012, with a modest investment of ~\$1,100, the Committee was able to fund lane-markings for that block (after the Council restricted parking on the east side of the street). In 2016, the Committee recommended funding the design for this project which will be completed in 2018. Based upon work done so far, the phases/components of the project, have or will cost as follows: Design (\$27,250), Right-of-Way (\$0), Sidewalk Construction (\$153,000), and Storm Water Improvements (\$45,000). After learning that CBU would be willing to pay for the storm water improvements, the Committee recommended funding \$153,000 for construction of the sidewalk.
Maxwell Street- Miller Drive to Short Street (West Side)	To be Determined	\$13,000.00		This project was suggested to the Committee by Cm. Rollo after the other new requests had been compiled and ordered on the Evaluation Sheet. It addressed a Planned Unit Development for a Co-Housing project at the corner of Short Street and South Maxwell Street. He heard concerns from residents about the additional vehicular traffic that they anticipate with the additional units and the proposed connection of Short Street to Highland Avenue. A sidewalk along the west side of South Maxwell from Miller Drive would help mitigate the problem. The Committee discussed whether splitting the project into a northern portion to be paid by the City and a southern portion to be paid by the developer might bring about these changes quickly and at a lower cost to the City. To start the process, the Committee recommended allocating \$13,000 toward design of the northern portion of this sidewalk.
Traffic-Calming	\$50,000.00	\$2,000.00		Rather than fund a particular traffic-calming project, the Committee recommended funding \$2,000 toward the acquisition of temporary traffic-calming (speed slowing) devices.
Total	\$406,000.00	\$312,000.00		

2017				
Site	Estimate	Recommendation	Possible Additional Appropriation	Comments
E. 10th from Smith Road to Deckard /Tamarron Drive (South Side) - Sidewalk, Pedestrian Crossing, and Other Safety Improvements	\$274,650.00	\$58,000.00		In 2016, after previous interest and investment in the proximate area, the Committee recommended allocating \$50,000 for the design of the sidewalk from Smith Road to the Deckard / Tamarron Drive intersection and a crossing of 10th at that intersection. The design, which cost \$24,460, entailed a meeting with residents and others, and led to a proposal that includes a 10' wide sidewalk from Deckard to Tamarron and a crossing at Tamarron. The crossing should include a median island, school zone, pedestrian hybrid beacon, pavement markings, and advance signage. In 2017, the Committee recommends funding \$58,000 and staff is proposing to add another \$177,000 from other City funds. In addition, staff is working with MCCSC for contributions toward a school zone beacon (~\$15,000) and with INDOT for contributions towards a pedestrian HAWK signal (\$131,000). The City should complete its portion of this project in the summer or fall of 2017 and INDOT should complete its HAWK signal in the summer of 2018.
Rockport Road from Graham Drive to south of West Pinehurst Drive (West Side) - Sidewalk	\$224,460.00	\$200,000.00		Last year, the Committee recommended allocating \$22,000 for the design of this sidewalk project along Rockport Road. Once this sidewalk and sidewalks associated with the intersection improvement at Rockport Road and Tapp Road are completed, the entire boundary of the triangular Broadview Neighborhood will have had pedestrian facilities installed since its phased annexation spanning the late 1990's and early 2000s. This year, the Committee recommends funding \$200,000 for the construction of the second-to-last leg of this long-term pedestrian plan.
Sare Road at Buttonwood Lane and at Spicewood Lane -Traffic calming / Pedestrian Crossing	\$95,000.00	\$48,000.00		This pair of crossings was proposed by Cm. Rollo and was supported by a representative of the Spicewood neighborhood, who addressed the Committee. The crossings would complement a multiuse path from the Renwick development to Buttonwood Drive that the City has proposed for Metropolitan Planning Organization (MPO) funding. Together, these projects would provide a bicycle and pedestrian connection to similar facilities both north and south of this section of Sare Road. The Committee recommends allocation of \$48,000 for these crossings and P & T staff offered an additional \$47,000 needed to design and install these projects. The high cost for this pair of crossings and the discussion of other possible traffic-calming projects led the Committee to adopt a motion to separate consideration of traffic-calming from sidewalk projects in the future.
<b>Total</b>	<b>\$594,110.00</b>	<b>\$306,000.00</b>		
2016				
Site	Estimate	Recommendation	Possible Additional Appropriation	Comments
SR 45/46 Bypass and Tunnel to 7th Street (West Side) - Sidewalk	\$65,000.00	\$20,000.00		This project would connect the sidepath on the west side of the SR 45/46 Bypass and the bicycle/pedestrian tunnel at this site with 7th Street and, thereby, to the neighborhoods to the south and west. It would include installing a ramp from the Bypass to the tunnel and stairs to 7th Street. The cost has grown as the project moved from an in-house to a contracted one. Design was paid for previously. A contingent allocation last year was left unspent because other funds were not available. This year the P & T department has made \$35,000 available and the Sidewalk Committee recommends allocating the remaining \$20,000 to complete this project in 2016.

E. 10th from Smith Road to Tamarron Drive (South Side) - Sidewalk, Pedestrian Crossing, and Other Safety Improvements	\$249,000.00	\$50,000.00		In 2003 and 2004, the Committee funded a sidewalk east of Grandview to connect with existing sidewalks toward town. Over the years, various requests for pedestrian infrastructure from Grandview Drive to Russell Road have been made. The reasons for funding this project include the need to help children walk safely from neighborhoods south of East 10 <sup>th</sup> to University Elementary School and possibly help MCCSC reduce transportation costs associated with bussing the children to and from school. Staff has been in contact with Indiana Department of Transportation (INDOT), which has jurisdiction over this portion of the corridor, about use of the right-of-way and other cooperation with this project. The Committee recommends funding \$50,000 for design which would include a crossing of East 10 <sup>th</sup> . An additional \$12,000 would be needed for right-of-way and \$187,000 for construction to complete this project.
Morningside Drive from Sheffield Drive to Park Ridge Road - Sidewalk	\$110,000.00	\$110,000.00		This project would extend a Committee sidewalk project on Morningside Drive which ended at Sheffield to sidewalks and park on Park Ridge Road. The curve in Morningside raised safety issues for pedestrians who now walk in the road and may entail some storm water infrastructure. The Committee recommended funding design (\$15,000), right-of-way (\$4,000), and construction (\$110,000) this year (or bid this year for construction next year).
Moore's Pike from College Mall Road to Woodruff Lane (South Side) - Sidewalk	\$135,000.00	\$24,000.00		Moore's Pike east of College Mall Road is a busy road with neighborhoods to the south without a sidewalk to the intersection with College Mall Road. In 2009, the Committee funded a sidewalk from Andrews Circle to an existing sidewalk to the east, but was stymied by the estimated cost for widening the roadway for a sidewalk to the intersection with College Mall. This year, the Committee requested new estimates which, with use of the existing roadway, brought down the costs to \$135,000 - \$24,000 for design and \$111,000 for construction. The Committee recommended funding design this year.
Union Street from 4th to 7th Street (East Side) - Sidewalk	\$189,000.00	\$32,000.00		This project was first requested in 2008. Union can be a busy street, at times. There is a sidewalk on the west side from 3rd to 10th and on the east side from 3rd to 4th and from about a half block north of 7th to 10th. Over the years, the Committee has heard that pedestrian walk in the street on the east side. Total cost of this project would be \$189,000 with \$32,000 for design, \$34,000 for acquisition of right-of-way (which may be reduced by owner(s) willing to donate the land), and \$123,000 for construction. The Committee recommended allocation funds for design (\$32,000).
South Walnut Street from Winston Thomas to National Guard Armory (West Side) - Sidewalk	\$87,000.00	\$13,000.00		In 2003, the Committee began funding missing sidewalks on the west side of South Walnut between Country Club and Rhorer roads. It started on the north end and progressed as far as Pinewood, and the Committee has continued to discuss filling in the gaps to the south. This year, the Committee reviewed the missing sidewalk segments and sought an estimate for the Winston Thomas to National Guard Armory piece. Total cost of the project would be about \$123,000 - design (\$12,000), right-of-way (\$1,000) and construction (\$74,000). The Committee recommended funding design and right-of-way this year (\$13,000).
Mitchell Street from Maxwell Lane to Circle Drive (East Side) - Sidewalk	\$112,000.00	\$22,000.00		This sidewalk would serve pedestrians who, due to previous Committee recommendations, have sidewalks on the south at Circle Drive and sidewalks on the north along Maxwell Lane. In 2012, with a modest investment of \$1,100, the Committee was able to fund lane-markings for that block (after the Council restricted parking on the east side of the street). This year the Committee sought estimates for a sidewalk which totaled \$112,000 and recommended funding design (\$22,000). The remainder of the costs would be for construction (\$90,000) (with no funds needed for right-of-way).



Rockport Road from Graham Drive to south of West Pinehurst Drive (West Side) - Side Walk	\$137,000.00	\$22,000.00		For well over a decade, the City has invested in pedestrian infrastructure surrounding the triangular-shaped Broadview area. A ~\$1.2 million road & sidewalk project along Rockport Road near Countryside Lane was completed in 2015 (with a ~\$25,000 investment from the Committee for some preliminary costs). No sidewalks are in place on the west side of the street from Graham Drive to the intersection at Tapp Road. An intersection improvement at Tapp Road, primarily funded through the MPO (with federal money), will bring sidewalks to just south of West Pinehurst. The Committee sought an estimate for the missing segment north to Graham Drive and recommended funding for design. Total costs add up to \$137,000 and include \$22,000 for design, \$29,000 for right-of-way, and \$86,000 for construction.
Traffic calming	\$5,000.00	\$5,000.00		The Committee recommend an allocation of \$5,000 for some possible as yet unidentified traffic-calming projects.
Moore's Pike at Clarizz Boulevard (Pedestrian Crossing)	?	*( \$2000)	\$6,000.00	When discussing the south side of Moore's Pike at the intersection of College Mall Road, the Committee also looked further east to Clarizz Boulevard and beyond, where there are sidewalks on the north but none on the south. The Committee thought a pedestrian crossing at Clarizz Boulevard would provide some connectivity, but the costs would only be known after an investment in design (\$8,000). Given other priorities this year, the Committee recommended funding this project if funds reverted in 2015 could be reappropriated. In that event, the allocation would include \$2,000 from 2016 and \$6,000 for 2015.
College Avenue from 10th to 17th - Road Repaving and Curb and Sidewalk Replacement Project	?		\$12,885.00	In the event of an additional appropriation of unspent funds reverted to the ATF at the end of 2015, the Committee responded to a request from Public Works to help with this road repaving and curb and sidewalk replacement project.
TOTAL	\$1,089,000.00	\$298,000 *	\$18,885.00	Note: Another \$2,000 would be added to the \$298,000 to bring the total to the full budgeted amount of \$300,000 if an additional appropriation of unspent funds in 2015 (see column to the left) was approved and allowed, in part, monies for the Moore's Pike /Clarizz pedestrian crossing.

2015				
Site	Estimate	Recommendation	Additional Appropriation	Comments
Kinser Pike - 17th Street north to Apartments (East Side)	\$198,821.00	\$143,851.00		This highest ranking project has been on the list for over a decade due, in large part, to the cost of the right-of-way (which was estimated, at times, at over half of the total project cost. After obtaining estimates for both sides of the street, the Committee chose the east side, which was less expensive and more likely to be used. This recommendation follows expenditures for design and appraisals in 2014 and commits funds necessary to complete this project in 2015.
West 17th Street -- Four Parcels West of Maple to Madison (South Side)	\$600,000.00	\$70,000.00		* Installation of sidewalks on West 17th Street has been a high priority for the City. Given work on the east and west, the scope of the project now runs from four parcels west of Maple to Madison Street. This year's allocation will pay for acquisition of right-of-way between Maple and Madison and design of the sidewalk for the four parcels west of Maple.
Sheffield - Morningside Drive to Providence (West Side)	\$83,000.00	\$75,000.00		This project would complete missing sidewalk segments along Sheffield that would connect with existing sidewalks along Plymouth on the north and recently-completed Council Sidewalk Committee projects on the south along Morningside Drive. Speed of cars descending the curve to Morningside, in part, made this a priority for the Committee. The design was done last year by contract at a cost of \$8,010. The allocation this year will pay for acquisition of temporary right-of-way (\$20,000) and construction (\$55,000) and, if all goes well, should complete the project this year.
Traffic-Calming (Crosswalk at Maxwell and Mitchell Street)	\$5,000.00	\$5,000.00		The Committee initially set aside \$15,000 for a few possible traffic calming projects this year. These included a component of an old project by Fairview School, a crosswalk at Maxwell Lane and Mitchell Street, and traffic calming along Morningside Drive. Given other higher priorities and the likelihood of expenditures in 2015, the Committee allocated \$5,000 toward the crosswalk at Maxwell Lane and Mitchell Street.
SR 45/46 Bypass and Tunnel to 7th Street (West Side)	\$65,000.00	\$6,149.00	\$43,001.00	This project would connect the side path on the west side of the SR 45/46 Bypass and the bicycle/pedestrian tunnel at this site with 7th Street and, thereby, to the neighborhoods to the south and west. It would include installing a ramp from the Bypass to the tunnel and stairs to 7th Street, and may include landscaping provided through CDBG funds. The cost has grown as the project moved from an in-house to a contracted one. Given other higher priorities, the allocations included about \$6,150 from the \$300,000 ATF Budget and an estimated \$43,000 in inspect 2014 funds that might be additionally appropriated for this purpose. In effort to complete this project, the Committee also requested the Administration explore use of other funds to complete this project. That could include paying for traffic calming and allowing that money to go towards this project.
Total	\$951,821.00	\$300,000.00	\$43,001.00	* An additional appropriation may come forward to make unspent 2014 funds available for use in 2015. The amount is an estimate and may change.

2014				
Site	Estimate	Recommendation	Other Funds	Comments
Kinser Pike - 17th Street north to Apartments (East Side)	\$228,412.80	\$38,068.80		This highest ranking project has been on the list for over a decade due, in large part, to the cost of the right-of-way (which amounts to over half of the total project cost of \$228,412). After obtaining estimates for both sides of the street, the Committee chose the east side, which was less expensive and more-likely-to-be-used. This recommendation commits \$38,068.80 toward the design of this project in 2014 with construction considered a high priority in 2015.
West 17th Street -- Maple to Madison (South Side)	\$276,361.80	\$58,810.30		* Installation of sidewalks on West 17th Street has been a high priority for the City and will see progress to the east and west of this project in the near future. This year, the Committee learned it would cost \$276,361.80 for this project, which would include about 650 feet of sidewalk (with some sidewalk already in place), some steps here and there, and some storm water component (estimated at about \$59,000) that might be covered by City Utilities. The recommendation this year is to allot \$46,060.30 toward the design and \$12,750 toward appraisal work for this project and make construction a high priority next year. *CBU will explore in-kind contributions toward the storm water component of this project.
SR 45/46 Bypass and Tunnel to 7th Street (West Side)	\$20,000.00	\$20,000.00		This project would connect the side path on the west side of the SR 45/46 Bypass and the bicycle/pedestrian tunnel at this site with 7th Street and, thereby, to the neighborhoods to the south and west. It would include installing a ramp from the Bypass and stairs from the tunnel. The cost is estimated at \$20,000 and the stairs would have a "cheek wall" for bicyclists to use for their bikes after dismounting them. The Committee thought this may have the added benefit of encouraging more bicycle and pedestrian traffic between the neighborhoods to the east and the campus to the west.
Leonard Springs -- 300 feet South of Walmart Entrance to Tapp Road	Unknown	\$15,000.00	Unknown	Last year the Committee recommended contributing as much as \$15,000 to this Monroe County project over two years if it was going forward. The logic for contributing is two-fold: first, the roadway is owned by the City (but the adjacent land is within the County) and second, there are some pockets within the City to the south with residents that would use the sidewalk. The project would be about 1,200 feet long and cross 10 parcels of land. <i>It is conditioned on adequate assurances that the project will go forward and the contribution will be spend in 2014.</i>
Sheffield - Morningside Drive to Providence (West Side)	\$63,414.45	\$55,143.00		This project would complete missing sidewalk segments along Sheffield that would connect with existing sidewalks along Plymouth on the north and recently-completed Council Sidewalk Committee projects on the south along Morningside Drive. Speed of cars descending the curve to Morningside, in part, made this a priority for the Committee. The Engineering Department will design the project which reduced the outlay by \$8,271.45.
Maxwell Lane -- Jordan Avenue to Sheridan (North Side)	\$96,279.38	\$96,279.38		This follows on the project in 2013 that brought a sidewalk to the north side of Maxwell from the bottom of the hill at Highland to mid-way up the hill at Jordan. It will continue the project over the crest of the hill to Sheridan. Once this block is done - with the help of previous Committee-recommended projects - there will be a continuous run of sidewalks all the way from High Street on the east to Henderson on the west. Funds for the design of this project were provided in 2006.
Traffic-Calming (Unspecified)		\$15,000.00		The Committee set aside \$15,000 for unspecified traffic-calming projects in the event one is ready for installation this year.
Total	\$621,053.98	\$298,301.48		* <b>Note: This history reflects Annual Committee Reports and not Interim Reports. An Interim Report was approved for both 2013 and 2014 that reallocated these funds.</b>

2013				
Site	Estimate	Recommendation	Other Funds	Comments
West 17th Street -- Madison Street to College Avenue (South Side)	\$268,199.00	\$147,351.16	\$107,199.00	Following an investment in the design of this project in 2011 and an offer from City of Bloomington Utilities to cover the storm water costs associated with it, the Committee recommended funding construction of a sidewalk in 2013. The offer from CBU reduced the allocation for this project from \$268,111 to \$161,000, but with the understanding that some of the estimated \$8,500 in remaining funds for the year might be needed to cover any overage. <i>Note that, on December 18, 2013, the Council amended the recommendations to reflect the lower than expected bid for this project.</i>
Maxwell Lane -- Highland Avenue to Jordan Avenue (North Side)	\$87,000.00	\$95,543.62		This is one block of a two-block project that would be constructed on the north side of the street from the bottom of a hill (at Highland) to the other side of the crest at Sheridan. Once these two blocks are complete - with the help of previous Committee-recommended projects - there will be a continuous run of sidewalks all the way from High Street on the east to Henderson on the west. Funds for the design of this project were provided in 2006. <i>Note that, on December 18, 2013, the Council amended the recommendations to reflect an increase in cost of the project from \$87,000 to \$95,543.62, due to the removal of rock.</i>
Moore's Pike and Olcott Boulevard -- Pedestrian Crossing	\$18,500.00	\$7,959.90		This is a pedestrian crossing with a raised island and lane markings to narrow the roadway. It follows a denial of a stop sign request at the Traffic Commission in January and <i>does not</i> include the installation of a stop sign. The crossing will provide residents in Hyde Park and points south access to a continuous sidewalk that runs along the north side of Moore's Pike from Smith Road to Sare Road and further west. <i>Note that, on December 18, 2013, the Council amended its recommendations to reflect an altered project (now with no island, but with a solar-operated speed indicator) and a drop in cost from \$18,500 to \$7,959.90, largely due to the labor having been provided by the Public Works Department..</i>
Rockport Road -- Countryside Lane south 2,000 feet to just past Graham Drive (West Side)	\$1,200,000 +	\$24,145.32	\$1,200,000.00	<i>Note that, on December 18, 2013, the Council amended its recommendations to include this allotment toward a large multi-phased road-improvement/storm water project along Rockport Road. This contribution of \$24,145 can be committed in 2013 toward appraisal work necessary for the project and follows through on a recommendation in 2012 to use any remaining funds that year for this purpose.</i>
Leonard Springs -- 300 feet South of Walmart Entrance to Tapp Road	Unknown	\$0.00	Unknown	This is a County project to be constructed on land in the county that lies along a city-owned roadway. The design and total cost of the project are unknown at this time. The County sees the need for the project (which is evident with the path worn by pedestrians) and is interested in a contribution from the City. After learning that City residents to the south would probably use the sidewalk, the Committee agreed to contribute any funds remaining this year once there were adequate assurances that the project will be completed in the short term. The Committee also declared intent to contribute as much as \$15,000 toward this project over two years. <i>Note that, on December 18, 2013, the Council amended the recommendations to defer any contribution to this project until 2014 when the project moved forward to the point the money could be used.</i>
Total	\$373,699.00	\$275,000.00	\$1,307,199.00	

2012				
Site	Estimate	Recommendation		Comments
		ATF	Other Funds	
Third Street -- Overhill Drive to Travel Lodge Driveway (North S	\$154,474.00	\$154,474.00		See the 2011 and 2010 descriptions below for the details of the larger project, which will result in the construction of sidewalks on the north side of East Third Street from Union to the SR 45/46 Bypass. Contributions from other sources include: \$100, 00 from Greenways; \$75,000 from HAND; and the installation of sidewalks by INDOT as part of the SR 45/46 Bypass project.
Mitchell Street -- Maxwell Lane to Circle Drive	\$1,100.00	\$1,100.00		This project proposes the use of lane markings to designate a portion of the west side of the roadway of this one-block segment as a pedestrian corridor. It would provide a pedestrian facility that connects a City-created pedestrian corridor on the south, which runs from Bryan Park to sidewalks at Marilyn Drive and High Street, to City-installed sidewalks along Maxwell Lane. <i>Note: This recommendation was conditioned upon approval of the associated removal of parking on that side of the street. Please also note that the lane was eventually approved for the east side.</i>
Morningside Drive -- Saratoga to Sheffield (West Side)	\$19,866.00	\$19,866.00		This recommendation continues upon the completed 2011 recommendation to install a sidewalk from Smith Road to Saratoga. Please see the 2011 description below for more information about this project
Rockport Road -- Coolidge to 310 feet North of the Intersection (West Side)	\$80,440.00	\$34,560.00	*	This recommendation would partially fund the sidewalk project by contributing funds toward the cost of acquiring the right-of-way. It is intended to leverage other resources to fill-in one of three missing sidewalk links along Rockport Road from Tapp Road to Rogers Street in 2012. The other missing links include a long section north of Tapp Road which will be constructed as part of the roundabout at that intersection and a segment north of Ralston, which remains unfunded. <i>Note: This recommendation would allow any remaining funds to be applied towards the cost of right-of-way and is conditioned upon Committee acceptance of assurances that the sidewalk will be completed in 2012.</i> <i>* CBU staff have inspected the site and offered suggestions on handling the storm water.</i>
Total	\$255,880.00	\$210,000.00	\$0.00	

2011				
Site	Estimate	Recommendation		Comments
		ATF	Other Funds	
Third Street -- Segments 1-4: Bryan to Hillsdale	\$387,405.00	\$129,811.00	\$175,000.00	See 2010 description below for project details. The 2010 Committee dedicated the bulk of its funds to the E. Third Street project. After applying 2010 funds to this project, \$129,811 was needed for the completion of Segments 1-4. The other funds include \$100,00 from Greenways & \$75,000 from HAND.
Third Street -- Segment 5: Hillsdale to Travel Lodge	\$300,893.00			Design for this project will be completed with 2010 funds.
Southdowns -- Jordan to Mitchell (with exploring the possibility of CBU making an in-kind contribution toward stormwater improvement)	\$53,153.00	\$50,622.00		With the completion of Marilyn Drive sidewalk in 2011, this segment would culminate a multi-year effort to create a continuous pedestrian corridor running from Bryan Park to the sidewalks at High and Covenancter. The stormwater component of this project is \$16,000. The Committee requested that CBU make a good-faith effort to explore whether they would be able to make an in-kind contribution re: the stormwater component of this project.
Morningside Drive -- Smith to Saratoga (side of road to be TBD)	\$13,929.00	\$13,929.00		This project is intended to provide a pedestrian route to compensate for the loss of a Bloomington Transit bus stop on Morningside Drive. The closest stop is now on Smith Road and many people walk down Morningside to get to the stop at Smith. The walk is precarious and uncomfortable. This is a neighborhood with many children and a neighborhood that sees many pedestrians. A sidewalk would really help pedestrians get safely to the Smith stop.
West 17th -- Woodburn to Madison (southside)	\$282,878.00	\$15,638.00		This is a highly rated, but expensive, project that has been under consideration by the Committee for many years. Funds remaining after the other projects are covered will be used for the design of this project (\$25,000). The design should lower the cost of the project.
<b>Total:</b>	<b>\$1,038,258.00</b>	<b>\$210,000.00</b>	<b>\$175,000.00</b>	

2010				
Site	Estimate	Recommendation		Comments
		ATF	CBU Stormwater	
Marilyn -- Nancy to High (south side)	\$189,937.45	\$98,373.43	\$91,564.00	See 2009 description below for project details. As federal funds requested from the Mayor were not available for 2010, the Committee agreed to dedicate ATF funds to complete this project.
Third Street -- Bryan to Jefferson (north side)	\$95,408.78		\$22,638.00	Connection is needed from Roosevelt to the SR 46 Overpass to link up with the existing sidewalk. The 2009 Committee forwarded a recommendation to the 2010 Committee encouraging the latter to fund as much of this project as possible. The 2010 Committee agreed that, after funding the above previously-committed Marilyn project, it should devote all remaining funds to the Third Street project. The Committee voted to fully fund the first two segments of this project (Bryan to Jefferson and Jefferson to Roosevelt) and to fund a portion of the third segment.
Third Street -- Jefferson to Roosevelt (north side)	\$63,507.68	\$31,912.23	\$4,366.00	
Third Street -- Roosevelt to Clark (north side)	\$118,387.50	\$114,252.60	\$4,135.00	
Southdowns -- Jordan to Mitchell (w/Stormwater on Jordan and Sheridan) (south side)	\$124,405.05		\$54,562.20	This is part of larger area in need of stormwater improvement and has been on the Sidewalk Committee's list of requested projects since 2002. The Committee agreed to address the stormwater issue on Southdowns first and then the sidewalk later. The amount of stormwater dedicated to this project is not to exceed the original estimated cost -- \$54,562.20.
<b>Total:</b>		<b>244,538.26</b>	<b>\$177,265.20</b>	

2009				
Site	Estimate	Recommendation		Comments
		ATF	CBU Sidewalk	
Marilyn -- Nancy to High (south side)	\$189,937.45	\$0.00	\$91,564.00	This is one of the last segments of a route on the Bicycle and Pedestrian Transportation and Greenways System (Greenways) Plan that would connect Bryan Park with sidewalks at High and Covenanter. Prior ATF funds were used to install sidewalks on Mitchell, Circle, Ruby and Nancy Street. Last year the Committee requested and expected that the Greenways monies would be used to cover the sidewalk and the CBU Set Aside would cover the storm water component of this project. However, an amendment to the Greenways Plan and other projects left this one unfunded in 2008. As noted above, the Committee recommended that the Council respectfully request that the Mayor consider appropriating \$98,937.45 of federal reimbursement of matching funds to complete this project.
Henderson -- Moody to Thornton (east side)	\$99,319.17	\$71,877.77	\$27,441.40	This project was scheduled for funding in 2008. It was requested by the Planning Department, MCCSC, and a property owner and would complete the last segment of unfinished sidewalk on the east side of Henderson between Hillside and Miller Drive as well as much further north and south. The HAND department may help fund some of this project.
Kinser Pike -- Marathon Stn. to 45/46 (west side)	\$54,751.14	\$40,280.74	\$14,470.40	This is a heavily-travelled stretch. Many residents living in multi-family housing walk here to the grocery store and other amenities.
Moore's Pike -- Segment A - Woodruff to existing walk (south side)	\$22,758.00	\$22,758.00	\$0.00	This stretch provides connectivity with an existing walk and was requested by area residents. This project will provide residents with a safer crossing of Moore's Pike. Some residents indicated that they would be willing to make a contribution.
S. Madison -- 3 <sup>rd</sup> to Prospect (east side)	\$49,773.00	\$26,989.00	\$16,784.00	This project is in a highly-urban area and would link to the B-Line trail at the W. 3 <sup>rd</sup> Street overpass. Public Works will commit \$6,000 for concrete.
3 <sup>rd</sup> Street -- Roosevelt to Clark & Clark to Hillside (north side)	\$231,564.07	\$50,000 *	\$0.00	Connection to link up to the existing sidewalk network. A worn pedestrian path demonstrates the heavy use of this area. The 2009 Committee agreed that if the funds remaining for the above projects are not needed to complete said projects, up to \$50,000 of the remaining 2009 ATF balance shall be dedicated to right-of-way acquisition for this project.
<b>Total:</b>		211,905.51	\$150,259.80	

2008				
Site	Estimate	Recommendation		Comments
		ATF	CBU Sidewalk/ Stormwater	
5th Street -- Hillsdale to Deadend (south side)	\$535,088.97	\$70,485.63	\$0.00	This two-block long, multi-departmental project provides an east-west connection through the Greenacres Neighborhood and needed stormwater infrastructure for the area. Total funding includes: \$112,934.36 (2007 ATF), \$10,453.98 (2007 CBU Sidewalk/Stormwater Setaside); \$216,215 (CBU Capital Project), and \$125,000 (HAND Neighborhood Improvement Grant). Note: This project was completed in 2008.
Henderson -- Allen to Hillside (west side)	\$669,090.00	* \$3,667.21	\$0.00	This improvement is aimed at alleviating pedestrian/vehicular conflict in this elementary school area. The Committee funded design in 2007 at the request of Public Works. Public Works received a \$250,000 Safe Routes to School grant for this project and wanted an additional sign of support from the Council in order to garner funds from other sources (including CDBG). * Note: The Committee recommended that any funds remaining in 2008 may be applied to this project.
Marilyn -- Nancy to High (south side)	*\$167,578.63	\$0.00	* \$62,480	This is one of the last segments of a route on the Alternative Transportation and Greenways Plan that would connect Bryan Park with sidewalks at High and Covenanter. Prior ATF funds were used to install sidewalks on Mitchell, Circle, Ruby and Nancy Street. The Committee requests that Alternative Transportation and Greenways monies fund the \$105,098.63 needed for the sidewalk portion of this project. *Note: The Committee also realized that the stormwater component will be more expensive than indicated and authorized that any remaining funds be used for this purpose.
E. 2nd Street -- Woodcrest to 300' east (north side)	\$34,300.00	\$32,319.00	\$1,981.00	This small project would fill-in the last missing stretch of sidewalk on both sides of East 2nd from College Mall Road to High Street, which sees high levels of vehicular and pedestrian traffic. Note: ATF funded design of this project in 2006. Note: This project was completed in 2008.
Henderson -- Thorton to Moody (east side)	\$71,735.90	\$49,405.90	\$22,330.00	This will complete a missing link on the east side of Henderson and provide uninterrupted sidewalks and crossings on that side of the street for at least a mile.
High Street - Across from Childs School (west side)	\$22,362.55	\$21,078.05	\$577.50	This project would create a continuous sidewalk on the west side of High Street across from Childs School, which has the highest walk-in rates in the community. The sidewalk may also allow the City to eliminate one crossing guard. Note: This project was completed in 2008.
West 17th Street -- Lindberg to Arlington Park Drive (south side)	\$52,077.21	\$27,337.21	\$0.00	A new development at the corner of W. 17th and Crescent Road led to this request. The total project should cost about \$52,077.21, but the possible donation of right-of-way by abutting property owners and contribution of materials by the developer would lower the cost to the amount as listed here. Note: This project was completed in 2008.
<b>Total:</b>		204,293.00	\$87,368.50	* Note: Any remaining ATF monies may be applied to the Henderson - Allen to Hillside project and any remaining CBU sidewalk/stormwater funds may be applied to Marilyn - Nancy to High Street. Also, using the estimates for CBU Sidewalk/Stormwater projects as presented in this chart and the carryover of \$22,834.79 from 2007, there would be approximately \$60,466.29 available for future CBU Sidewalk/Stormwater projects.



2007				
Site	Estimate	Recommendation		Comments
		ATF	USB Stormwater	
5th Street -- Overhill to Deadend (south side)	\$262,685.80	\$92,646.50	\$29,344.60	This provides an east-west connection through the Greenacres Neighborhood. * Note: The Committee committed to dedicate 2008 ATF monies to complete this project if the sum allotted is insufficient. This is part of a larger initiative to improve the stretch on 5th Street from Hillsdale to the deadend. CBU has dedicated \$225,000
Henderson -- Allen to Hillside (west side)	unknown	\$45,000.00		Director of Public Works, Susie Johnson, requested that the Committee partner with Public Works by providing \$45,000 for the design cost of this project. This improvement is aimed at alleviating congestion and improving safety in this elementary school area.
Arden -- Windsor to High (south side)	\$100,452.00	\$47,353.50	\$53,098.00	The neighbors met with Councilmember Rollo and wanted a sidewalk to help their kids get to High Street and Southeast Park. Note: This project was completed in 2007.
<b>Total:</b>		<b>185,000.00</b>	<b>\$82,442.60</b>	
2006				
Site	Estimate	Recommendation		Comments
Queens Way, Sussex to High (south side)	\$25,969.68	\$25,969.68		This is the missing link, connecting High to Renwick.
Roosevelt, Fourth to Fifth (east side)	\$127,269.79 with curbs	\$127,269.79		This ties in with the recent improvements made by Doug McCoy which made Roosevelt a through-street.
Arden -- From High to Windsor (south side)	\$59,486.72	\$5,000 (design only)		This project provides a safe walk way for the neighborhood's many children to travel to a near-by school & park.
E. 2nd -- Woodcrest to 300' east (north side)	\$31,574.66	\$5,000 (design only)		This project is the missing link on the north side of the street from College Mall to the west. Justin suggested that in future years, the Committee might provide material and ask CBU to install.
11th Street-- Washington to Lincoln (north side)	\$60,151.41	\$10,000 (design only)		
Maxwell -- Highland to Jordan (north side)	\$65,658.98 with tree plot & piping	\$5,000 (design only)		This 2-block project completes the missing link on Maxwell between Henderson & High.
Maxwell -- Jordan to Sheridan (north side)	\$72,479.88 with tree plot & piping	\$5,000 (design only)		This 2-block project completes the missing link on Maxwell between Henderson & High.
<b>Total:</b>		<b>\$183,239.47</b>		

2005			
Site	Estimate	Recommendation	Comments
Maxwell Lane from Clifton Sidepath to High Street (north side)	\$65,175.00	\$65,175.00	Since 1999, the Committee has funded sidewalks on Maxwell Lane between Henderson and High Street. The first project was north of Bryan Park and ran from Henderson Street to Manor Road and connected to an existing sidewalk that runs to Jordan Avenue. The second project connected a sidewalk on Sheridan with the Clifton sidepath. This project would connect the latter sidewalk to High Street. The Committee recommended that a cross walk be placed on High (to connect with an existing sidewalk) and that sidewalk be placed to preserve trees, if that isn't possible, include a tree plot. <b>Note:</b> The project was rebid and completed in 2007 and was funded, in part, with the reappropriation of \$34,000 in reverted funds .
Queens Way from Chelsea to Sussex (south side)	\$35,729.00	\$35,729.00	The Renwick developer will install a sidewalk on the south side of Queens Way from the new development to Monclair Avenue. The Committee received estimates for installing sidewalks the rest of the way to High Street (\$83,700), funded the first leg between Montclair and Sussex in 2004.
Marilyn from Nancy to High Street (south side)	\$155,216 (one block only)	\$11,497.54 (design only)	This project begins completion of the western end of what's known as the Southeast Neighborhood Initiative. This initiative will eventually connect the walking/biking lane on Southdowns / Jordan with sidewalks at Covenanter / High Street. The City has already completed a sidewalk from Mitchell / Southdowns to Ruby / Nancy Street, and Nancy Street from Ruby to Marilyn Drive. This allocation funds design costs and gives staff an opportunity to determine whether there are storm water costs that might be borne by CBU. One more leg on Southdowns from Jordan to Mitchell would complete this initiative. Note: This project was completed in 2007.
Roosevelt from 4th to 5th (east side)	\$86,340.00	\$6,395.62 (design only)	This is a new project that would complement new private development on Roosevelt that will make it a through-street and include a sidepath on 4 <sup>th</sup> Street. The estimate for the project is \$86,340 and this recommendation funds the design costs.
<b>Total:</b>	<b>\$187,244.00</b>		
2004			
Site	Estimate	Recommendation	Comments
Sidewalk Project - 10th Street for 350 feet West of Grandview (south side)		\$45,000.00	The Council funded this proejct in 2003 and approximately \$6,344 was spent that year on designing the sidewalk and acquiring right-of-way, but the remaining funds were not encumbered for its construction. The Committee recommends using unspent and unencumbered funds from previous years to fund this project.
Sidewalk Project - Nancy Street from Ruby Lane to Marilyn Drive (west side)	\$45,628.00	\$45,628.00	The Committee recommended funding this segment of the larger South East Neighborhood Initiative. That initiative first received funding in 2002 (see below).
Sidewalk Project - Jefferson Street between 7th and 8th (east side)	\$114,000.00	\$114,000.00	The Committee recommended funding this first segment of the larger Jefferson Street project, which has been designed as a result of previous funding in 2002 (see below). This segment, unlike the others, does not require a large complement of storm water funds.
Sidewalk Project - Winfield Road from Fair Oaks to existing sidewalk just south of Rechter (east side)	\$45,096.00	\$27,000 (+\$18,096 from Wininger/Stolberg)	The Committee recommended funding this project in concert with the developer of the Renwick PUD (Wininger / Stolberg) who has offered to pay for the cost of materials (approximately \$18,096).
Sidewalk Project - Queens Way from Montclair Avenue to Chelsea Court (south side)	\$22,139.00	\$22,139.00	The Committee recommended funding this and the previous project in order to have sidewalks in place before the Renwick PUD gets well under way.
<b>Total:</b>		<b>\$253,767.00</b>	This amount includes \$151,000 of funds appropriated for sidewalks this year and unspent monies from previous years. If there are not enough monies in the Alternative Transportation Fund in 2004, then the Committee will need to decide whether to recommend use of 2005 funds for these purposes.

2003			
Site	Estimate	Recommendation	Comments
Sidewalk Project - East 5th Street from 1 block east of Overhill (deadend) to Overhill.	\$255,596.00	\$52,597.00	On 6/18/03, the Council approved the Committee recommendation to allocate \$52,597 contingent upon the availability of storm water funds.
Sidewalk Project - 10th Street for 350 feet west of Grandview Drive (south side)	\$43,975.00	\$43,975.00	
Sidewalk Project - Walnut Street from Bank One (Country Club/Winslow) to Hoosier Street (west side)	\$104,354.00	\$63,427.00	On 6/2/03 the Committee recommended allocating the remaining funds (\$63,427) to this project and discussed ways to reduce its cost.
<b>Total:</b>		<b>\$159,999.00</b>	

2002			
Site	Estimate	Recommendation	Comments
Sidewalk Project - Southdowns from Jordan and along the north side of Circle and Ruby lane to Nancy Street.	\$148,000.00	\$108,731 (+ \$39,000 from Greenways)	The original estimate was for a sidewalk on the north side of the street, but the Engineering staff and neighborhood preferred south side at estimated cost of \$129,000 (and an additional \$19,000 for the leg from Jordan to Mitchel). On 6/19/02 the Council allocated \$59,547 for this project and, as noted below, on 12/18/02, the Council voted to shift \$49,184 from the East 2nd Street project to this one as well. On May 8, 2003 the Greenways group agreed to fund the remaining \$39,000.
Design for sidewalk and storm water project - Jefferson Street from East 3rd to East 10th Street.	\$27,840.00	\$27,840.00	
Design for sidewalk and stormwater project - East 5th Street from 1 block east of Overhill to Union.	\$28,832.00	\$28,832.00	
Streetscape Plan - East 2nd from High Street to College Mall Road.	\$49,184.00	\$0.00	On 12/18/02 the Common Council voted to shift these funds (\$49,184) to the Ruby Lane project (above)
Sidewalk design - East Allen from Lincoln to Henderson Street	\$4,000 - \$8,000	\$7,400.00	
<b>Total:</b>	<b>about \$160,000</b>	<b>\$172,803.00</b>	



## MEMO FROM COUNCIL OFFICE ON:

**Ordinance 21-02 – To Rezone a 10.097 Acre Property from Planned Unit Development (PUD) to Mixed-Use Corridor (MC). Re: 300 S. State Road 446, 4500 E. 3<sup>rd</sup> St., 4518 E. Third St., and Properties Located at E. Third Street and Identified by the Monroe County Parcel ID No. 015-32 120-01 (53-08-01-200-007.000-009) and Parcel ID No. 015-13546-00 (53-08-01-205-023.000-009)<sup>1</sup>(Bill C. Brown Revocable Trust, Petitioner)**

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### Synopsis

Ordinance 21-02 rezones 10.097 acres from Planned Unit Development (PUD) to Mixed-Use Corridor (MC).

### Relevant Materials

- Ordinance 21-02
- Certification of Ord 21-02 by Plan Commission
- Staff Memo from Ryan Robling
- Maps
- Petitioners' Rezoning Statement
- Illustrative Site Plan Context
- Correspondence on behalf of Sound Management, LLC regarding rezoning
- Fiscal Impact Statement
- Committee Report forthcoming

### Certified by Plan Commission

Certified by the Plan Commission on December 14, 2020 with a favorable recommendation (9-0).

### Summary

The Council's review of a proposal to change the city's zone maps is guided by state statute.<sup>2</sup> Within ninety (90) days after such a proposal is certified to the Council by the Plan Commission, the Council may adopt or reject the proposal.<sup>3</sup> If the Council fails to act on the proposal within 90 days after certification (by January 20, 2021), the ordinance would take effect as if it had been adopted as certified by the Plan Commission.<sup>4</sup> As a condition to the adoption of a rezoning proposal, the owner of a parcel of real property may be required or allowed to make a commitment concerning the use or development of that parcel, subject to certain requirements contained in state law.<sup>5</sup>

In preparing and considering proposals Council shall pay reasonable regard to the following<sup>6</sup>:

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<sup>1</sup> Anticipated title change pursuant to Amendment 01

<sup>2</sup> IC 36-7-4 et. seq.

<sup>3</sup> IC 36-7-4-608(f)

<sup>4</sup> IC 36-7-4-608(f)(4)

<sup>5</sup> IC 36-7-4-1015

<sup>6</sup> IC 36-7-4-603



**City of Bloomington Indiana**

City Hall | 401 N. Morton St. | Post Office Box 100 | Bloomington, Indiana 47402

Office of the Common Council | (812) 349-3409 | Fax: (812) 349-3570 | email: [council@bloomington.in.gov](mailto:council@bloomington.in.gov)

- the [comprehensive plan](#);
- current conditions and the character of current structures and uses in each district;
- the most desirable use for which the land in each district is adapted;
- the conservation of property values throughout the jurisdiction; and
- responsible development and growth.

**Contact**

Ryan Robling, Zoning Planner, [robtingr@bloomington.in.gov](mailto:robtingr@bloomington.in.gov), (812) 349-3423

**ORDINANCE 21-02**

**TO REZONE A 10.097 ACRE PROPERTY FROM PLANNED UNIT DEVELOPMENT (PUD) TO MIXED-USE CORRIDOR (MC)**

**- Re:**

**(Bill C. Brown Revocable Trust, Petitioner)**

WHEREAS, Ordinance 20-06, which repealed and replaced the official zoning map within Title 20 of the Bloomington Municipal Code Entitled, “Unified Development Ordinance” went into effect on April 18, 2020; and

WHEREAS, the Plan Commission has considered this case, ZO-25-20, and recommended that the petitioner, Bill C. Brown Revocable Trust, be granted an approval to rezone 10.097 acres from Planned Unit Development (PUD) to Mixed-Use Corridor (MC); and,

WHEREAS, the Plan Commission therefore requests that the Common Council consider this petition;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. Through the authority of IC 36-7-4 and pursuant to Chapter 20.06 of the Bloomington Municipal Code, the zoning of the property located at 300 S. State Road 446, 4500 E. 3<sup>rd</sup> St., 4506 E. Third St. and 4518 E. Third St. shall be changed from Planned Unit Development (PUD) to Mixed-Use Corridor (MC). The property is further described as follows:

Parcel 1

A part of the Northeast Quarter of the Northwest Quarter of Section 1, Township 8 North, Range 1 West, in Monroe County, Indiana, being more particularly described as follows, to-wit:

Beginning at a point on the East line of said quarter quarter that is 867.38 feet South (assumed bearing) of the Northeast corner of said quarter-quarter, thence North 89 degrees 38 minutes 18 seconds West for a distance of 668.00 feet, thence North over and along an existing fence line for a distance of 443.00 feet, thence South 89 degrees 03 minutes 55 seconds East for a distance of 306.47 feet, thence South 0 degrees 21 minutes West for a distance of 161.95 feet, thence South 89 degrees 38 minutes 18 seconds East for a distance of 312.09 feet, thence South 0 degrees 10 minutes 44 seconds West for a distance of 224.73 feet, thence North 89 degrees 19 minutes 11 seconds East for a distance of 51.17 feet, thence South for a distance of 24.58 feet to the place of beginning.

EXCEPTING THEREFROM, a strip 30 feet of even width off the entire South side of the above described land, containing in all after said exception 4.238 acres, more or less.

Parcel Number 015-30750-01 (53-08-0L-200-0L9.000-009)

Commonly known as 310 South State Road 446, Bloomington, Indiana 47401

Parcel 2

Lot Number 4 in Century Village Phase II, and Amendment to Century Village Lot 2, Phase I, Final Plat, as shown by the Plat thereof recorded In Plat Cabinet HB, Envelope 199, in the Office of the Recorder of Monroe County, Indiana.

Parcel Number 015-10930-00 (53-03-01-200-014.000-009)  
Commonly known as 4500 N. Third St, Bloomington, IN 47401

Parcel 3

A part of the North half of the Northwest quarter of Section 1, Township 8 North, Range 1 West, Monroe County, Indiana, being more particularly described as follows: Commencing at the Northeast corner of the Northwest quarter of the Northwest quarter; thence North 89 degrees 36 minutes 31 seconds West along the North line of said Section L a distance of 238.93 feet; thence leaving said North line South 02 degrees 10 minutes 19 seconds East 48.79 feet to the south right-of-way of State Road #46 (E. Third Street); thence South 89 degrees 36 minutes 31 seconds East 748.16 feet along said South right-of-way to the point of beginning; thence South 89 degrees 36 minutes 31 seconds East 115.00 feet along said South right-of-way to a found iron pipe; thence South 00 degrees 52 minutes 22 seconds East 796.34 feet thence North 89 degrees 35 minutes 48 seconds West 115.00 feet; thence North 00 degrees 52 minutes 22 seconds West 196.32 feet to the point of beginning; containing 0.52 acres, more or less.

Parcel No. 015-32 120-01 (53-08-01-200-007.000-009)  
Commonly known as E. Third Street, Bloomington, IN 47401

Parcel 4

Lot Number 2 in Century Village III, as shown by the plat thereof recorded in Plat Cabinet D, Envelope LO7, in the office of the Recorder of Monroe County, Indiana.

Parcel No. 015-32L20-02 (53-08-01-300-013.002-009)  
Commonly known as 4518 E. Third Street, Bloomington, IN 47401

Parcel 5

Lot Number 78 in Baker Subdivision III, as shown by the plat thereof recorded in Plat Cabinet C, Envelope L69, in the office of the Recorder of Monroe County, Indiana;

Parcel No. 015-13546-00 (53-08-01-205-023.000-009)  
Commonly known as E. Third Street, Bloomington, IN 47401

SECTION 2. This rezoning shall be approved as attached hereto and made a part thereof.

SECTION 3. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstance shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 4. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
JIM SIMS, President  
Bloomington Common Council

ATTEST:

\_\_\_\_\_  
NICOLE BOLDEN, Clerk  
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Nicole Bolden, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
JOHN HAMILTON, Mayor  
City of Bloomington

#### SYNOPSIS

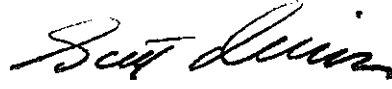
Ordinance 21-02 rezones 10.097 acres from Planned Unit Development (PUD) to Mixed-Use Corridor (MC).



\*\*\*\*ORDINANCE CERTIFICATION\*\*\*\*

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 21-02 is a true and complete copy of Plan Commission Case Number ZO-25-20 which was given a recommendation of approval by a vote of 9 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on December 14, 2020.

Date: December 23, 2020



\_\_\_\_\_  
Scott Robinson, Secretary  
Plan Commission

Received by the Common Council Office this 24th day of December, 2020. [REDACTED]



\_\_\_\_\_  
Nicole Bolden, City Clerk

Appropriation Ordinance # _____	Fiscal Impact Statement Ordinance # _____	Resolution # _____
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Type of Legislation:

Appropriation Budget Transfer Salary Change Zoning Change New Fees	End of Program New Program Bonding Investments Annexation	Penal Ordinance Grant Approval Administrative Change Short-Term Borrowing Other
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If the legislation directly affects City funds, the following must be completed by the City Controller:

Cause of Request:

Planned Expenditure _____	Emergency _____
Unforeseen Need _____	Other _____

Funds Affected by Request:

Fund(s) Affected		
Fund Balance as of January 1	\$ _____	\$ _____
Revenue to Date	\$ _____	\$ _____
Revenue Expected for Rest of year	\$ _____	\$ _____
Appropriations to Date	\$ _____	\$ _____
Unappropriated Balance	\$ _____	\$ _____
Effect of Proposed Legislation (+/-)	\$ _____	\$ _____
Projected Balance	\$ _____	\$ _____

\_\_\_\_\_  
Signature of Controller

Will the legislation have a major impact on existing City appropriations, fiscal liability or revenues?

Yes \_\_\_\_\_ No \_\_\_\_\_

If the legislation will not have a major fiscal impact, explain briefly the reason for your conclusion.

If the legislation will have a major fiscal impact, explain briefly what the effect on City costs and revenues will be and include factors which could lead to significant additional expenditures in the future. Be as specific as possible. (Continue on second sheet if necessary.)

## Interdepartmental Memo

**To:** Members of the Common Council  
**From:** Ryan Robling, Zoning Planner  
**Subject:** ZO-25-20  
**Date:** December 24, 2020

Attached are the staff report, petitioner's statement, maps, and exhibits which pertain to Plan Commission case ZO-25-20. The Plan Commission heard this petition at the December 14, 2020 hearing and voted 9-0 to send this petition to the Common Council with a favorable recommendation. The Plan Commission report is attached.

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**REQUEST:** The petitioner is requesting to rezone 10.097 acres from PUD (70 – Century Village) to (MC) Mixed-use Corridor. A waiver of the required 2<sup>nd</sup> hearing is also requested.

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**BACKGROUND:**

<b>Area:</b>	10.097 acres
<b>Current Zoning:</b>	PUD (70 – Century Village) and (21 – Baker/Stephens)
<b>Comprehensive Plan Designation:</b>	Urban Corridor
<b>Existing Land Use:</b>	Vacant
<b>Proposed Land Use:</b>	Undetermined
<b>Surrounding Uses:</b>	North – Commercial/Dwelling, Multifamily South – Dwelling, Multifamily East – Communication Tower/Commercial/ Dwelling, Single-family West – Commercial/Restaurant

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**REPORT:** The 10.097 acre property is located at the southwest corner of E. 3<sup>rd</sup> St. and State Road 446. The properties are currently zoned (PUD) Planned Unit Development; a majority of the site is within PUD 70 (Century Village) which was originally approved in 1975 as PCD-10-75. The remainder of the site is within PUD 21 (Baker/Stephens). The developed portions of the PUDs (Lots 1, 2, 3, and 5, as well as Century Suites Phase I-A, and Phase I-B) are not included in this petition. The excluded portions will remain within PUD 70 and PUD 21. The properties to the north across E. 3<sup>rd</sup> Street are zoned MC and are currently developed with mixture of commercial and multifamily dwelling units and are home to Summerhouse. The properties to the south are zoned RM and PUD and have both been developed with multifamily dwelling units. The properties to the west are zoned PUD and have been developed with a multitenant center and restaurant. The adjacent properties to the east are zoned within PUD 70 and have been developed with a communication tower, hotel, and offices. The property fronts along E. 3<sup>rd</sup> St and S. SR 446.

The petitioner is requesting to rezone the property from PUD to (MC) Mixed-Use Corridor. No development plan is being requested at this time. The properties being proposed to be rezoned are largely undeveloped with the exception of two surface level parking areas. Roughly 5 acres of the current Century Village PUD have been excluded from the proposed rezone and will remain a PUD. The proposed rezone would allow for all uses allowed in the MC district to be used on the site.

A conceptual site plan has been submitted with the petition, but is representative and seeks to show

what a potential development would look like once the area is rezoned. While the petitioner has a conceptual site plan, any uses allowed in the MC district would be allowed on the site. Any future developments that met the threshold for a major site plan review would be required to undergo further Plan Commission review. The current conceptual site plan shows a potential development which features four multifamily buildings with a mixture of 1 and 2 bedroom units proposed, for a total of 164 units. Ground floor non-residential units are shown along E. 3<sup>rd</sup> St. The conceptual site plan also shows a planned 32,000 square foot self-storage building at the southern end of the site. All of the uses shown in the conceptual plan are allowed in the MC district.

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**COMPREHENSIVE PLAN:** The majority of this site is designated as ‘Urban Corridor’ with some ‘Neighborhood Residential’ on the southern rear portion. The lines and edges in the Comprehensive Plan are intended to be fluid, so as to be flexible as areas in the City develop. Given the existing development on and around the site, the Department feels that ‘Urban Corridor’ is the most appropriate district to analyze this proposal. The Comprehensive Plan notes the following about the intent of the ‘Urban Corridor’ area and its redevelopment:

- *Designed to transform strip retail and commercial corridors along major roadways into a more urban mixed-use district that will serve as an appropriate transition from higher, more intensive uses to other districts, Focus Areas, and regional activity centers.*
- *Integrating multifamily residential uses into existing retail and commercial areas within the district can apply a mixed-use approach within individual buildings sites or between adjacent properties.*
- *It is intended to incorporate a balance of land uses by taking advantage of the proximity to other land uses and urban services.*
- *The district is expected to change by incorporating mixed uses and increasing activity.*
- *Buildings should be developed with minimal street setbacks, with parking located behind the building, and with an emphasis on minimizing pedestrian obstacles to accessing businesses.*
- *Development and redevelopment within the district is particularly suited to high-density residential and mixed residential/commercial use and taller building heights, with the possibility of three or four-story buildings.*

The proposed rezoning from PUD to MC will allow the site to more easily achieve the intent of the Urban Corridor designation. The properties front along two major roadways (E. 3<sup>rd</sup> St. and S. SR 446), but the current PUD does not allow for the increased residential density that the Comprehensive Plan calls for in this area. The MC district was intended to be along major arterial and collector corridors at a larger scale than other commercial zoning districts. The MC district is intended to accommodate medium-scaled developments with a mix of retail, office, and residential uses. The MC district would allow for a greater opportunity for a mixed-use approach to development than the current, commercial focused PUD. The MC district allows for taller buildings than most other base zoning district at 4 stories (not to exceed 50 feet).

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**20.06.070(b)(3)(E)(i)(1) ZONING MAP AMENDMENT PLAN COMMISSION REVIEW AND RECOMMENDATION:**

[a] The recommendations of the Comprehensive Plan;

**Proposed Finding:** The Comprehensive Plan designates these properties as ‘Urban Corridor’

and ‘Neighborhood Residential.’ The Comprehensive Plan acknowledges that the lines of the Future Land Use map are intended to be fluid, and that when petition sites span multiple designations, the best suited designation should be identified using the petition details and surroundings. This petition includes five parcels under single ownership that front along two major corridors in the City. Therefore the ‘Urban Corridor’ designation is believed to be the most align with the petition site.

The Comprehensive Plan gives guidance to land use decisions for the ‘Urban Corridor’ that include mixed-use developments at heights and intensities higher than smaller less intense areas of the city. The MC district’s purpose is to “accommodate medium-scaled developments with a mix of storefront retail, professional office, and/or residential dwelling units along arterial and collector corridors at a scale larger than the neighborhood-scale uses accommodated by the MN zoning district.” The MC district is the base zoning district that most closely aligns with the intent and goals of ‘Urban Corridor’ areas of the Comprehensive Plan.

[b] Current conditions and character of structures and uses in each zoning district;

**Proposed Finding:** The site is undeveloped and is in a prime location for a mixture of commercial and residential uses with direct access to two major corridors (E. 3<sup>rd</sup> St. and S. SR 446). The proximity to both major area commercial uses, and multifamily and single-family areas makes this an ideal location for mixed-use development.

[c] The most desirable use for which the land in each zoning district is adapted;

**Proposed Finding:** The most desirable use for this land is to follow the recommendations of the Comprehensive Plan which calls for commercial, higher density residential, and mixed-use developments throughout the ‘Urban Corridor.’ The MC district was intended to allow for a variety of commercial and residential units to be developed throughout. The standards and allowed uses within the MC district would allow for the most desirable uses of this area.

[d] The conservation of sensitive environmental features;

**Proposed Finding:** The properties currently have a tree preservation area on the southeast portion of the site. This area on the site was set aside during the rezone to a PUD. A conditional of approval has been included which will further ensure that the tree preservation area will be maintained in perpetuity.

[e] The conservation of property values throughout the jurisdiction; and

**Proposed Finding:** The rezoning of these portions of PUDs to MC are not anticipated to have any negative impacts on the adjacent property values throughout the jurisdiction.

[f] Responsible development and growth

**Proposed Finding:** The rezoning of this property to MC would allow for mixed-use developments along two major corridors. The MC district was intended to allow for a mixture of uses, including multifamily residential uses, along major corridors. The Comprehensive Plan has identified this area as ideal for a mixture of commercial uses and higher-density

residential uses. This location is easily accessed from both E. 3<sup>rd</sup> St. and S. SR 446. This petition would allow for more uses than the current PUDs, and match the goals of the Comprehensive Plan.

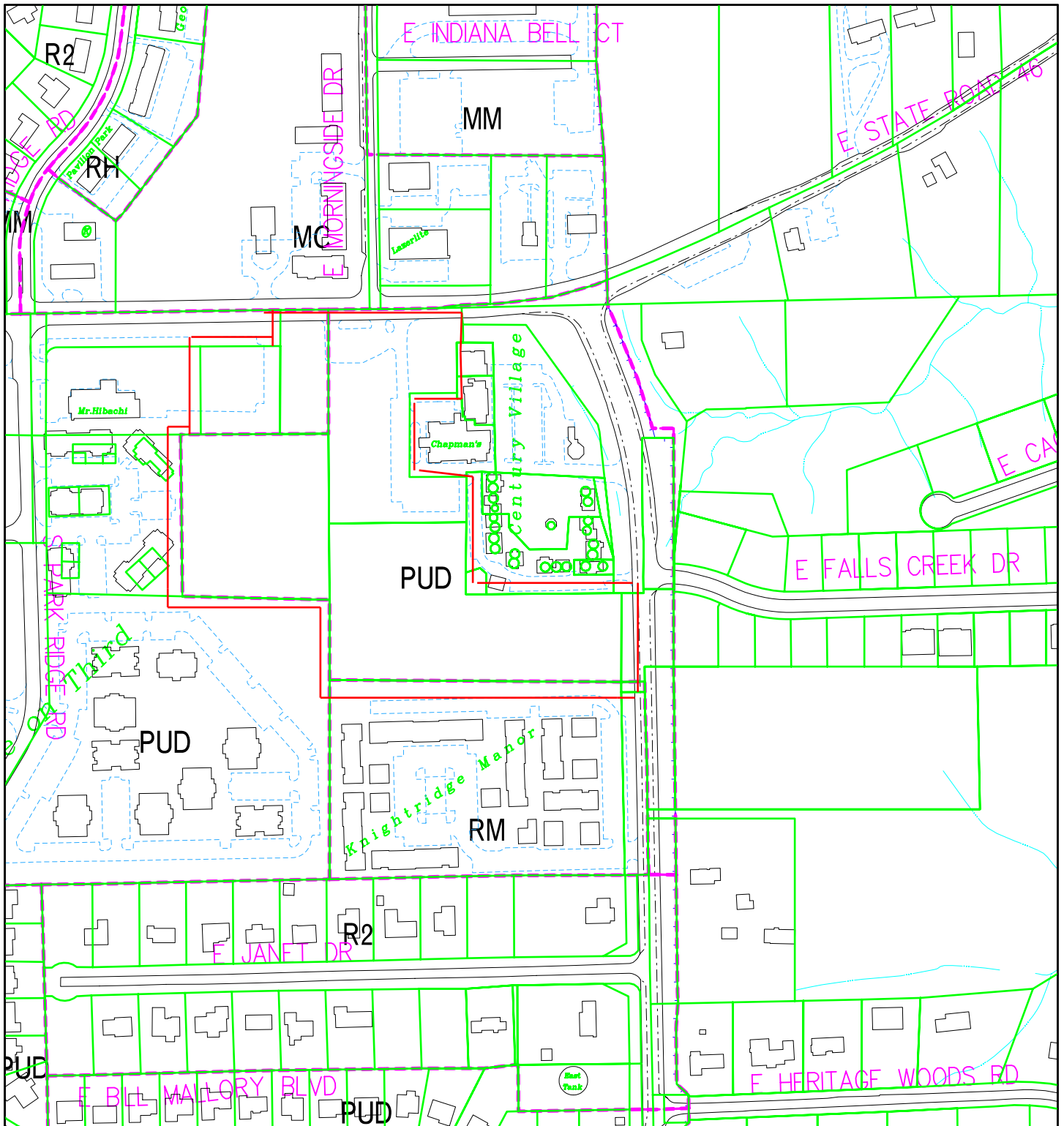
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**CONCLUSION:** The Department promotes rezoning properties which have been largely undeveloped since 1975. The Comprehensive Plan gives guidance which supports a mixture of uses along major corridors in the city. The Mixed-Use Corridor (MC) district allows for a variety of commercial and residential uses. The petition site fronts along two major corridors (E. 3<sup>rd</sup> St. and S. SR 446), allowing excellent access possibilities for future development. Allowing additional uses, particularly multifamily residential, would allow a site along a heavily traveled portion of the city to be developed in line with the Comprehensive Plan's long term goals of the City.

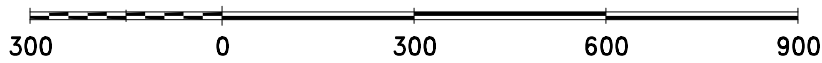
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**RECOMMENDATION:** Based on the findings of fact in the report, the Department recommends forwarding this petition to the Common Council with a positive recommendation, and waiving the required second hearing, with the following conditions:

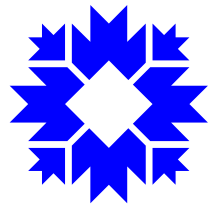
1. A Tree Preservation Easement shall be confirmed by survey and recorded in the Monroe County Recorder's Office as a recordable commitment, and the easement will be in compliance with Unified Development Ordinance easement standards, including but not limited to signage.



By: roblingr  
11 Dec 20



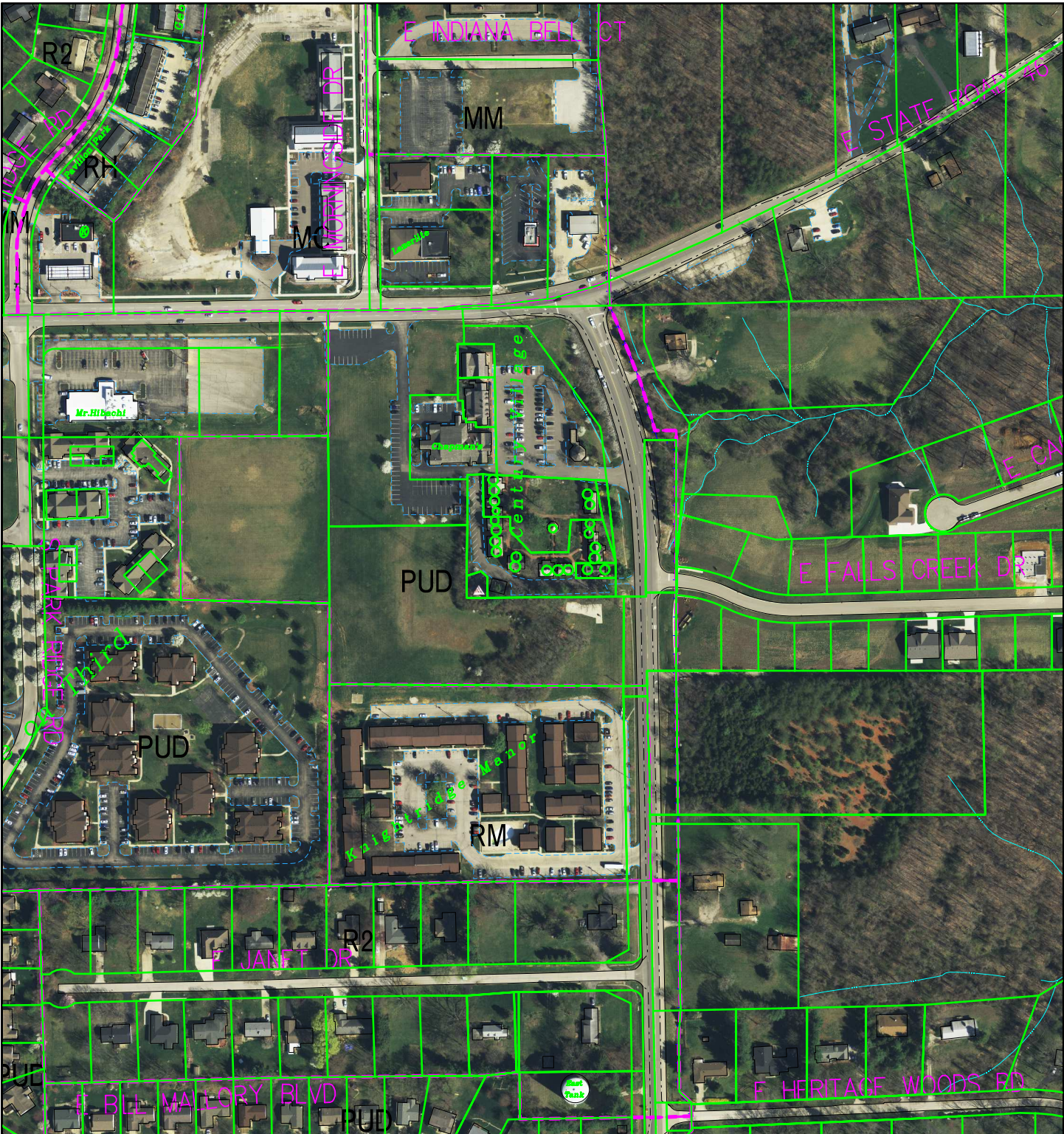
City of Bloomington  
Planning & Transportation



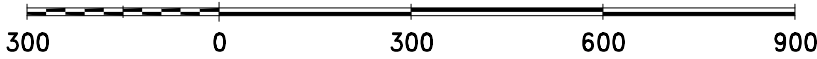
Scale: 1" = 300'

For reference only; map information NOT warranted.

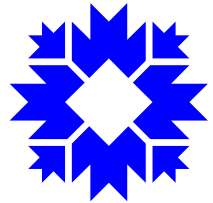




By: roblingr  
11 Dec 20



City of Bloomington  
Planning & Transportation



Scale: 1" = 300'

For reference only; map information NOT warranted.



## **PETITIONERS' REZONING STATEMENT**

Petitioners request for rezoning of the Century Village Planned Unit Development to mixed use – corridor (MC). This petition excludes rezoning Lot 1, Century Village Phase 1 as shown by the plat in Cabinet C in the Envelope 164 (Radio Station Office Building) and the small tract on which the radio station transmission tower was erected.

Uniform development ordinance states the purpose for the MC zone as “intended to accommodate medium-scaled developments with a mix of store front retail, professional office, and/or residential dwelling units along arterial and collector corners at a scale larger than the neighborhood-scale uses accommodated by the MN zoning district.

Current Planned Unit Development Zone. The Century Village II planned unit development was approved on October 1, 2004 as ordinance 04-32. The Century Village PUD encompassed 14.32 acres and identified a list of permitted uses as:

- Assisted Living Facility
- Day Care Centers
- Financial Institutions with a drive thru
- Hotel/Motel
- Office, including medical and professional
- Personal Services (hair care, tanning, etc.)
- Radio/TV Stations
- Retail Sales in enclosed buildings, limited to first floor and five thousand square feet per user
- Banquet Facility
- Restaurants, sit down, with pickup only window for carryout orders being allowed
- Restaurant, limited service
- Group Hub – limited to a minimum of 50% floor area committed to tavern/restaurant area
- Social Services
- Covered Offices

The PUD also permitted multifamily use located on second floor and above and limited to a maximum of fifty units. Site design required access to the development from East 3<sup>rd</sup> Street via single access point with the interior road to Century Village directly aligned with the existing E. Morningside Drive street connection to E. 3<sup>rd</sup> Street. East access to Century Village Complex was authorized two connections at South State Road 446.

PUD Development. The Century Village PUD acreage was subsequently platted and replatted or by amended plats created eleven lots. Seven lots are developed with the following uses:

- Office Buildings (three lots)
- Common Parking and Overflow Parking (two lots)



- Condominiums (Century Suites short-term and transient rentals)
- Restaurant
- Banquet Facility
- Radio Station Office and Transmission Tower

Development Land. The undeveloped lots and undeveloped portions of lots total approximately eleven acres.

Proposed/anticipated future development of the eleven acres includes:

- Multifamily Housing (primarily located on the northern one-half of the development ground in Century Village Complex. The multifamily buildings would be along the E 3<sup>rd</sup> Street frontage.
- Business and personal services offices (first floor use in the multifamily buildings adjacent to E 3<sup>rd</sup> Street frontage)
- Storage/Self-service Units (developed on the southern approximate one-half of the development land/Century Village PUD area). The Storage units would have direct access to South State Road 46.

Adjacent and Surrounding Uses. The Century Village PUD is bordered on the north by E 3<sup>rd</sup> Street/East State Road 46. Uses on the north side of E. 3<sup>rd</sup> Street include a convenience mart/gas station, a multifamily apartment development, a commercial building, an ice cream store and a general contractor trade office. The PUD is bordered on the east by State Road 446. On the east side of 446 is a single-family residential home, undeveloped strip of land, a connecting road at East Fall Creek Drive which extends eastward and is bordered on the north and south side by single-family homes. Adjacent to the south side of Century Village is a multifamily apartment complex. The PUD is bordered to the west by multifamily apartments and a restaurant at the northwest corner of Century Village frontage on E 3<sup>rd</sup> Street.

Environmental Issues. No karst features or environmentally sensitive features or areas are known to exist within Century Village. The eleven acres of development area is primarily open space, vacant land with few trees. The development of the eleven acres in addition to adding a treescape, is expected to preserve all existing specimen trees. On site drainage controls and water quality measures would be developed in conjunction with any further development of the project.

Petitioners' Intent: A planning policy for the City of Bloomington is to examine the existing PUD zones upon adoption of the new Uniform Development Ordinance. The City will examine the existing PUD zones carried forward with the new zoning map and consider appropriate rezonings to identify specific zoning classifications in the new UDO. Prior to development of the remaining eleven acres in the Century Village PUD, petitioners seek to advance the consideration of rezoning of the Century Village PUD to an appropriate zone in accordance with the recently approved UDO. The mixed use corridor zone is the most appropriate zoning classification for the Century Village PUD. The property is located on two corridors – E 3<sup>rd</sup> Street and South State Road 446. The permitted uses in the Century Village PUD are most closely aligned with the uses permitted for the MC zone in accordance with the use table. The

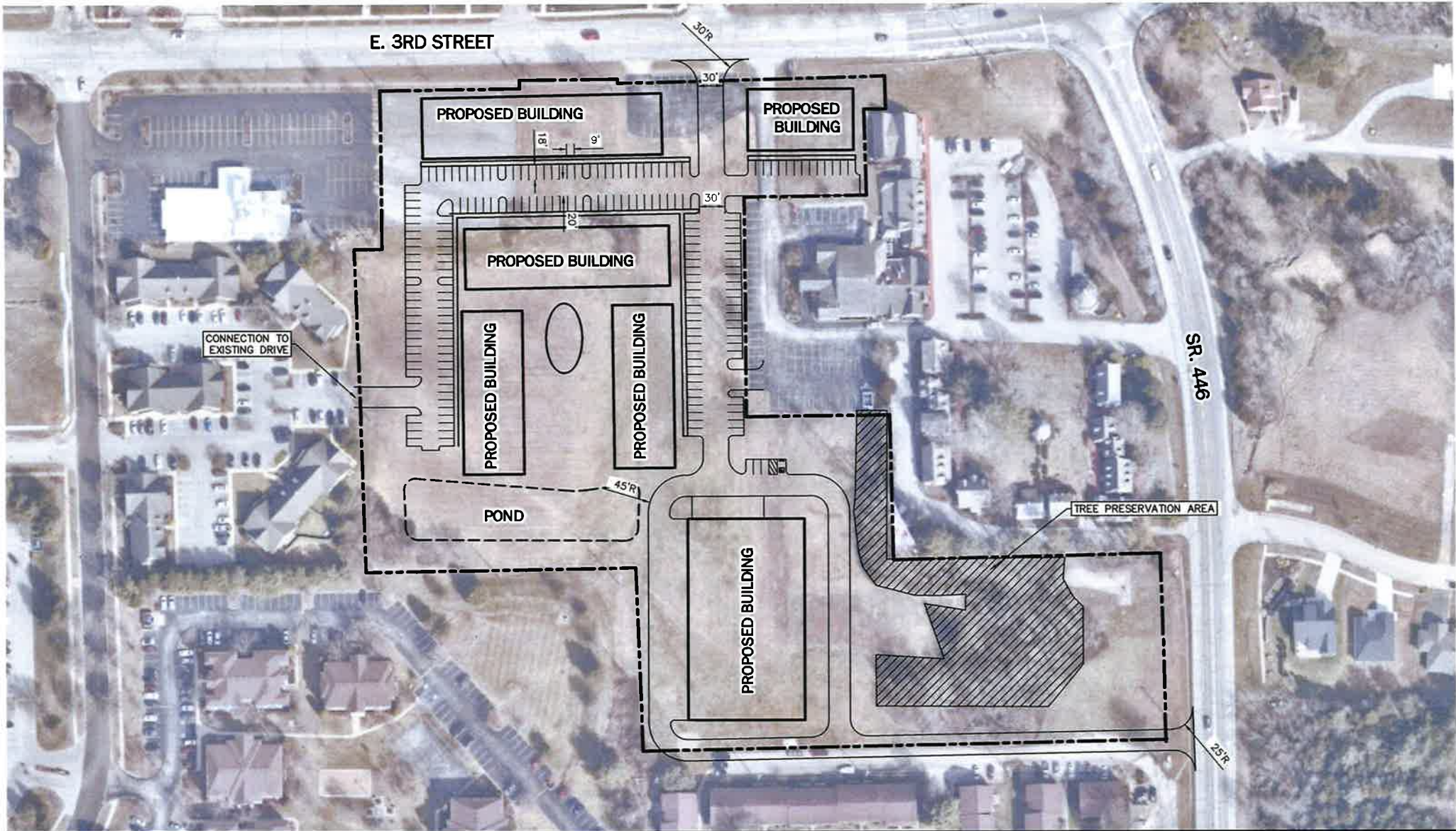
anticipated development for the eleven acres in the Century Village PUD is consistent with the MC table of permitted uses. The development standards applicable to the MC zone are appropriate for the existing developments as well as anticipated development of the eleven acres.


Development would utilize the MC development standards for multifamily housing. It is expected that the development would maintain the current PUD standard for first floor nonresidential use in multifamily buildings along the E 3<sup>rd</sup> Street frontage.

Petitioner requests waiver of second hearing before the Plan Commission.

  
Michael L. Carmin  
Attorney for Petitioner

423574

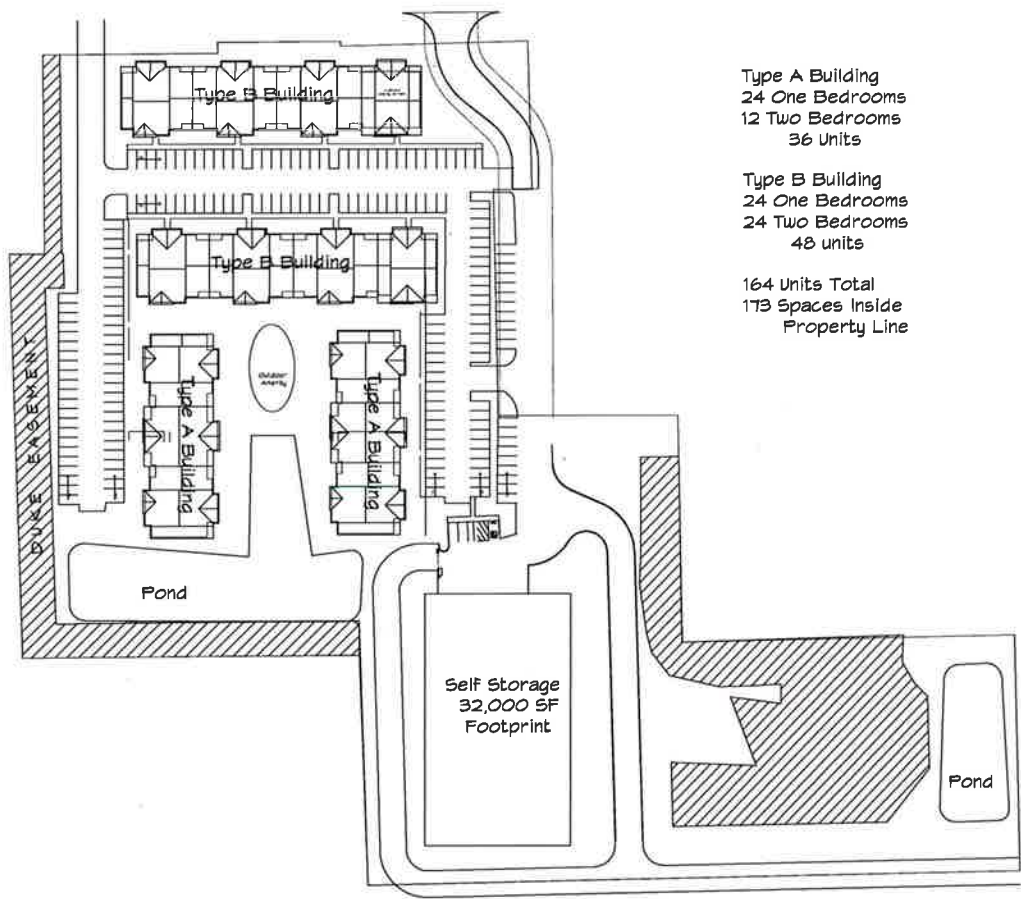


1" = 50' 100'  
 SCALE 1" = 100'  
  
 October 8, 2020

**Site Exhibit**  
 Bloomington Century Village PUD - Rezone  
 E. 3rd Street & SR. 446  
 Bloomington, IN

 AMERICAN  
**STRUCTUREPOINT**  
 INC  
 2020-01173

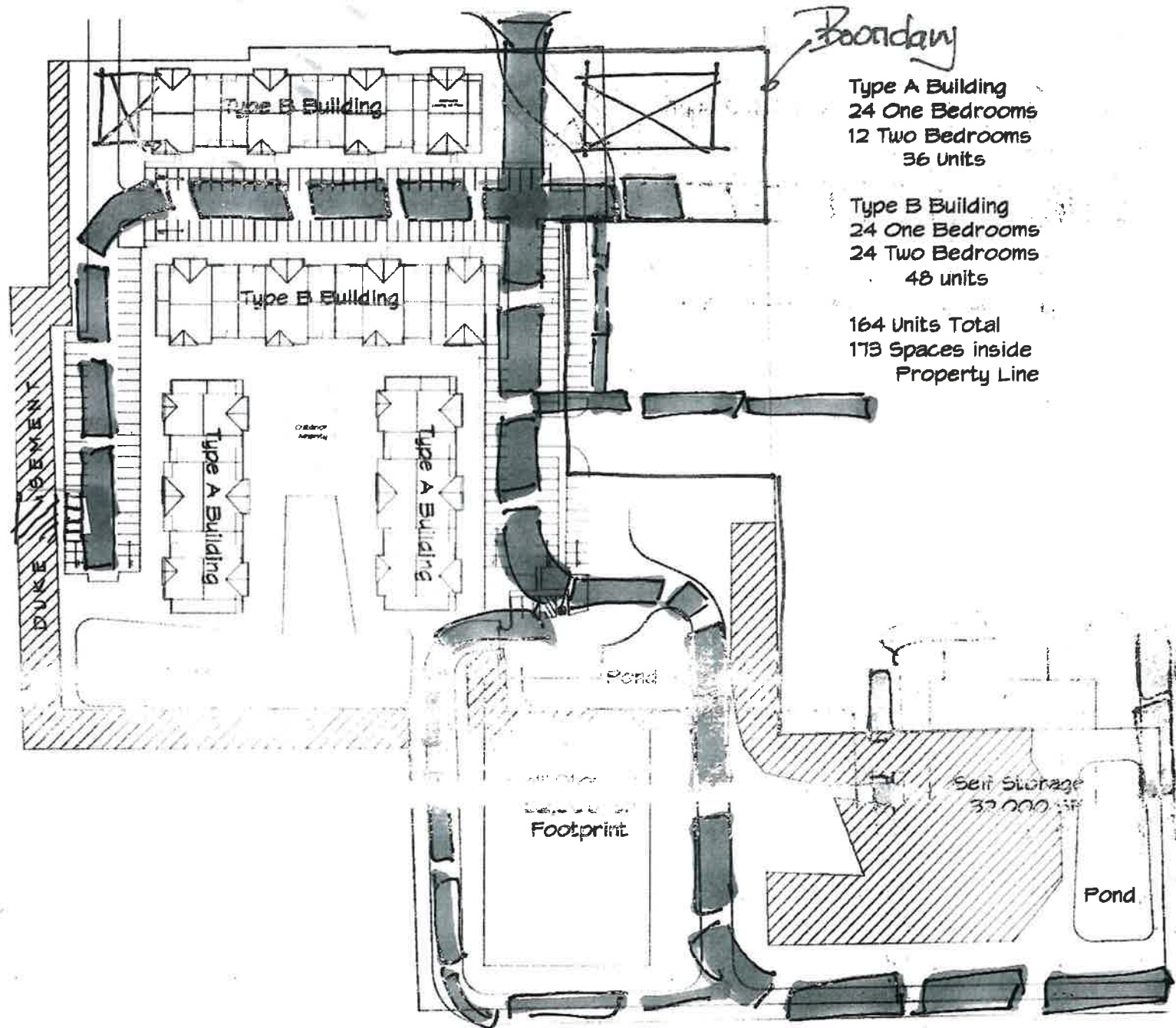




Type A Building  
 24 One Bedrooms  
 12 Two Bedrooms  
 36 Units

Type B Building  
 24 One Bedrooms  
 24 Two Bedrooms  
 48 units

164 Units Total  
 173 Spaces Inside  
 Property Line



Type A Building  
 24 One Bedrooms  
 12 Two Bedrooms  
 36 Units

Type B Building  
 24 One Bedrooms  
 24 Two Bedrooms  
 48 units

164 Units Total  
 173 Spaces inside  
 Property Line



**Front Elevation Concept - Building B**



  
**US Architects**  
(765) 405-1220

A Concept Sketch for  
**Century Village Storage**  
Bloomington, Indiana  
September 2020



**BOSE  
McKINNEY  
& EVANS LLP**

ATTORNEYS AT LAW

**Robert T. Wildman**

Direct Dial: (317) 684-5377

Fax: (317) 223-0377

E-Mail: [RWildman@boselaw.com](mailto:RWildman@boselaw.com)

December 11, 2020

City of Bloomington Plan Commission  
c/o Ryan Robling

Re: Century Village PUD Rezoning

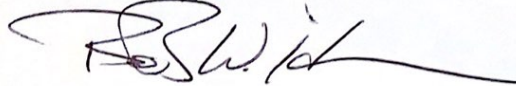
Dear Mr. Robling:

I am writing on behalf of Sound Management, LLC ("Sound Management"). Sound Management is the owner of Century Village Phase 1, Lot 1 which contains a broadcast office and studio for its radio stations. It also leases a .058 acre parcel in Century Village for its broadcast tower. Call, LLC, an affiliated entity, actually owns the tower. There is an easement for a transmission line that runs between the broadcast studio and the tower. Sound Management's predecessor, University Broadcasting Company, LLP, acquired the property and tower in 1996 from a prior radio operator. Its broadcast operations and the tower are specifically permitted uses in the Century Village PUD. Sound Management has made a substantial investment in its assets and operation and anticipates continuing operations from Lot 1 and the broadcast tower that is located in the Century Village PUD for years to come.

We are aware that Bill Brown has initiated a rezoning petition to covert the Century Village PUD (exclusive of Lot 1 and the broadcast tower) to an appropriate zone under the recently adopted City of Bloomington Unified Development Ordinance. Sound Management declined to join the rezoning petition as to Lot 1 and the tower site. We understand that in all of the possible zones in the new zoning ordinance, the communication tower is permitted only as a conditional use. As you can imagine operation of the broadcast tower as it currently exists is critical to the continued operation of Sound Management's business.

While Sound Management, LLC does not object to Mr. Brown's petition, it does object to any change which would restrict Sound Management's current operations or cause the broadcast tower to be a conditional use now or in the future. It is not reasonable to expect Sound Management to voluntarily or intentionally subject its use of the property to a zoning change that imposes conditional use standards on its business critical communication tower. Sound Management, LLC and Call, LLC have far too much invested in the radio station's site and communication tower as a permitted use.

Sincerely,



Robert T. Wildman

3976822\_1

111 Monument Circle, Suite 2700 | Indianapolis, Indiana 46204 | (317) 684-5000 | (317) 684-5173 (fax) | [www.boselaw.com](http://www.boselaw.com)

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**BLOOMINGTON COMMON COUNCIL  
FISCAL IMPACT STATEMENT**

Per BMC §2.04.290, any legislation that makes an appropriation or has a major impact on existing city appropriations, fiscal liability, or revenues shall be accompanied by a fiscal impact statement.

**LEGISLATION NUMBER AND TITLE** ORD 21-02 - To Rezone oa 10.097 Acre Property from Planned Unit Development (PUD) to Mixed-Use Corridor (MC)  
Re: (Bill C. Brown Revocable Trust, Petitioner)

**PROPOSED EFFECTIVE DATE** TBD

**FISCAL IMPACT.** Will the legislation have a major impact on existing City appropriations, fiscal liability or revenues?

YES  NO. If the legislation will not have a major fiscal impact, briefly explain below.

This legislation seeks to rezone 10.097 acres of property from PUD to MC. There is no major fiscal impact associated with rezoning the property. Fiscal impact will be re-evaluated at the time the property is developed.

**FISCAL IMPACT FOUND.** If the legislation appropriates funds and/or will have a major fiscal impact, please complete the following:

	FY -- CURRENT	FY -- SUCCEEDING	ANNUAL CONTINUING COSTS THEREAFTER
REVENUES			
EXPENDITURES			
NET			

**IMPACT ON REVENUE (DESCRIBE)**

**IMPACT ON EXPENDITURES (DESCRIBE)**

**FUTURE IMPACT.** Describe factors which could lead to significant additional expenditures in the future.

**FUNDS AFFECTED: TO BE COMPLETED BY CITY CONTROLLER**  
If the proposal affects City funds, please describe the funds affected and the effects of the legislation on these funds.

\_\_\_\_\_  
Signature of Controller

\_\_\_\_\_  
Signature of City Official responsible for submitting legislation

01/28/2021



## MEMO FROM COUNCIL OFFICE ON:

### **Ordinance 21-03 (formerly Ordinance 20-33) – To Amend Title 2 of the Bloomington Municipal Code Entitled “Administration and Personnel” - Re: Chapter 2.02 (Boards and Commissions – revised) and Chapter 2.04 (Common Council – revised)**

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#### **Background**

This legislation was first introduced during the Special Session on Wednesday, December 9, 2020 under the title Ordinance 20-33 and was referred to the Administration Committee, which met that same night. During that Administration Committee meeting, it was moved and seconded to postpone committee deliberations on Ordinance 20-33 to a future Administration Committee meeting.

During the Regular Session on January 13, 2021, the Council reintroduced the ordinance under a new number, Ordinance 21-03, to reflect the start of a new year. The Council also extended the time for the Administration Committee to report on the item to the Regular Session on February 3, 2021.

The Committee met again on January 27, 2021 to deliberate on Ordinance 21-03. It considered and recommended passage of Amendment 01 to Ord 21-03 (included herein). The Committee adopted a motion to continue discussion of the ordinance to an additional Administration Committee meeting to be held on February 10, 2021. At the February 3 Regular Session, the Council further extended the time for the Committee to report on the item to the February 17 Regular Session. The Committee met for a third time on February 10, 2021. At that meeting, the Committee considered Amendment 02 to Ord 21-03, but did not recommend passage of the amendment. The Committee do-pass recommendation on the ordinance as amended was 2-1.

#### **Synopsis**

This ordinance is sponsored by Councilmember Volan and would amend portions of Title 2 of the Bloomington Municipal Code entitled “Administration and Personnel.” The ordinance makes the following changes:

- It requires that certain information about each city board or commission be maintained on the city’s website and revises the process to be followed upon a board or commission vacancy.
- It revises BMC Section 2.04.255 (“Committees – Scheduling”) to clarify council committee scheduling and the process of referring legislation to a council committee.
- It revises BMC Section 2.04.270 (“Ordinances and resolutions—Filing, copies and agendas”) to specify that the Council President is authorized to approve the agendas for committee meetings convened to consider legislation referred to them.



- It deletes BMC Section 2.04.290 (“Ordinances and resolutions—Fiscal impact statement required”).

*Note: This ordinance was revised after distribution in the Legislative Packet but before being introduced for first reading at the December 9, 2020 Special Session. The revision added the third Whereas clause, inserted a new Section 4, amended Section 5 to clarify council committees shall not meet to hear legislation during any scheduled summer recess, and renumbered subsequent sections accordingly.*

*Also note: This ordinance was previously introduced and discussed under the former number Ordinance 20-33, but was renumbered as Ordinance 21-03 and revised with an updated signature block to reflect the new year and election of a new Council President on January 6, 2021.*

### **Relevant Materials**

- Ordinance 21-03 (formerly Ord 20-33)
- Amendment 01 to Ord 21-03
- Amendment 02 to Ord 21-03
- Relevant portions of Bloomington Municipal Code Chapters 2.02 and 2.04 with proposed changes tracked
- Draft fiscal impact statement
- Fiscal Impact Statement and Administration Committee Report for Ordinance 21-03 forthcoming

### **Summary**

Ordinance 21-03 (formerly Ord 20-33) proposes changes to various provisions in Bloomington Municipal Code Title 2.

First, Sections 1-3 of the ordinance revise the process to be followed when a vacancy occurs on a city board or commission. The process currently called for by local code was adopted in 1976 by Ordinance 76-27. It requires the creation of a synopsis containing certain information about the vacancy and the board, and calls for that synopsis and a statement on how to apply to the board to be sent to the local media at least fifteen days (except in certain emergency situations) before an appointment can be made.

The process proposed by Ordinance 21-03 would require that relevant information about each city board or commission be available and maintained on the city’s website. When a vacancy occurs, the ordinance would require that an announcement be sent to the local media. That announcement would need to contain the relevant information about the particular board or commission (or direct the public to the information available on the city’s website) along with a statement on how members of the public can apply for the vacancy



Second, Section 4 of the ordinance revises BMC 2.04.255 in a number of ways:

- It specifies that council committees (including the committee of the whole or standing committees) convened to consider legislation shall meet on second or fourth Wednesdays of each month, unless cancelled or otherwise rescheduled by a majority vote of the Council.
- It eliminates a provision that calls for committee of the whole meetings to convene at 6:30 p.m. local time so that meetings of the committee of the whole can be scheduled alongside standing committee meetings with more flexibility.
- It authorizes the council president to make a referral of legislation to the appropriate council committee when legislation is introduced, but states that such a referral can be changed by a motion of the council with a majority vote. The requirement that a motion to refer legislation to a standing committee be entertained before a motion for referral to committee of the whole remains in place.
- It allows the council president to schedule committee meetings on second and fourth Wednesdays in anticipation of the introduction of legislation.

Third, Section 5 of the ordinance revises BMC 2.04.270 to clarify that the council president shall approve the agendas for committee meetings convened to consider referred legislation.

Finally, Section 6 eliminates BMC 2.04.290, which currently requires the submittal of fiscal impact statements with every piece of legislation. This code section was adopted in 1979 by [Ordinance 79-97](#), though prior ordinances ([Ordinance 77-23](#); [Ordinance 78-71](#)) contained earlier iterations of the same requirement. In 2013, with [Ordinance 13-05](#), the Council revised this code section to eliminate a provision that required a super-majority of the Council to avoid deferring a piece of legislation when someone asserted that the fiscal impact statement requirement had not been satisfied. [Ordinance 13-05](#) also acknowledged that the submittal of fiscal impact statements had not been practiced in decades, but called for the provision to be made workable by the development of rules to facilitate the implementation of the provision. Subsequently, a fiscal impact statement template (included in this packet) was created, but it appears that such statements were not submitted with legislation until 2020.

### Contact

Steve Volan, [volans@bloomington.in.gov](mailto:volans@bloomington.in.gov), (812) 349-3409

Stephen Lucas, [lucass@bloomington.in.gov](mailto:lucass@bloomington.in.gov), (812) 349-3409

**ORDINANCE 21-03**

**TO AMEND TITLE 2 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED  
“ADMINISTRATION AND PERSONNEL” –  
Re: Chapter 2.02 (Boards and Commissions – *revised*) and  
Chapter 2.04 (Common Council – *revised*)**

WHEREAS, portions of Title 2 of the Bloomington Municipal Code (“BMC”) have not been updated in decades, and a review of such has determined that Chapters 2.02 and 2.04 should be amended; and

WHEREAS, BMC Chapter 2.02, which details the process to be followed upon a board or commission vacancy, contains sections that have not been updated in over forty years and revisions to this process are needed to reflect changes in technology and availability of information; and

WHEREAS, since 2014, the Council has rescheduled its summer recess from August to allow the recess to begin in either June or July, and the practice of scheduling its summer recess as needed should be reflected in BMC 2.04.050; and

WHEREAS, the use of standing committees by the Common Council throughout 2020 has demonstrated that certain amendments should be made to BMC Sections 2.04.255 and 2.04.270; and

WHEREAS, as previously acknowledged in Ordinance 13-05, BMC Section 2.04.290 requires the submittal of fiscal impact statements with certain pieces of legislation, but had not been practiced for decades and such statements are not necessary; and

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA THAT:

SECTION 1. Section 2.02.010 shall be deleted in its entirety and replaced with a new Section 2.02.010 entitled “Boards and Commissions - Public information required”, which shall read as follows and the amended title of the section shall be reflected in the table of contents for this chapter:

2.02.010 – Boards and Commissions - Public information required.

Each city board or commission, or a city employee officially designated to facilitate the work of the board or commission, shall ensure that the following information about the board or commission is publicly available and accurately maintained on the city’s website:

- (1) The name of the board or commission;
- (2) The purpose or purview of the board or commission;
- (3) The current membership of the board or commission, including the term start and end dates for each seat;
- (4) Any requirements for eligibility;
- (5) The duties of the members on the board or commission;
- (6) An estimate of the time required to fulfill the duties; and
- (7) Compensation, if any is provided.

SECTION 2. Section 2.02.020 shall be deleted in its entirety and replaced with a new Section 2.02.020 entitled “Vacancy - Announcement”, which shall read as follows and the amended title of the section shall be reflected in the table of contents for this chapter:

2.02.020 – Vacancy-Announcement.

At least one month before the expiration of an appointment, and immediately on the vacancy's occurrence in the case of an unexpected vacancy, an announcement shall be sent to the local media that either includes or directs the public to the information required by 2.02.010 about the board or commission. The announcement shall also include a statement on how to apply for the vacant position(s).

SECTION 3. Section 2.02.030 shall be amended by changing the word “synopsis” to “announcement” in the first sentence, so that the section shall read:

No appointments shall be made sooner than fifteen days after submission of the announcement to the media, unless the mayor declares to the common council that an emergency situation exists on a board or commission due to the vacancy, and the mayor recommends and common council votes unanimously to make the appointment before the fifteen days have run.

SECTION 4. Section 2.04.050(e) shall be amended to read as follows:

(e) "The council may choose to schedule a summer recess, provided the council meets at least once a month. If such a recess is scheduled, no legislation shall be heard for first reading at the final regular session prior to the recess."

SECTION 5. Section 2.04.255 shall be amended to read as follows:

(a) When a committee is to consider legislation referred by the council, it shall convene its meeting on the second or fourth Wednesday of the month. The council may decide by majority vote to cancel any such committee meeting, or to meet at an alternative date and time. Motions for referral to a standing committee shall be entertained before a motion for referral to the committee of the whole and shall include the approximate time at which the committee will convene.

(1) If more than one standing committee has had legislation referred to it during the same period of time, the committees shall not be scheduled at the same time, so that any council members may attend any meeting.

(2) Such committee meetings shall not begin before 5:30 p.m. or after 9:45 p.m.

(b) The president shall have the authority to refer legislation to the appropriate committee when the legislation is introduced for first reading, but such a referral may be changed by a motion approved by a majority of the council. The president shall have the authority to call and schedule committee meetings on second and fourth Wednesdays in anticipation of the introduction of legislation.

(c) A council committee shall not meet on legal holidays as enumerated in Indiana Code § 1-1-9-1, and shall not meet to hear legislation during the Council’s official recess, on the Wednesday evening immediately before Thanksgiving Day, or on or between the fourth Wednesday in December and New Year's Eve.

SECTION 6. Section 2.04.270 shall be amended by revising the third sentence, so that the sentence shall read:

The president shall approve the agendas for regular sessions, special sessions called by the president or voted upon by the council, and committees convened to consider legislation referred to them, and the council staff shall prepare and distribute copies of the agendas and legislation to the council members, the mayor, and corporation counsel.

SECTION 7. Section 2.04.290, entitled “Ordinances and resolutions—Fiscal impact statement required,” shall be deleted in its entirety.

SECTION 8. If any section, sentence, provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 9. This ordinance shall be in full force and effect from an after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
JIM SIMS, President  
Bloomington Common Council

ATTEST:

\_\_\_\_\_  
NICOLE BOLDEN, Clerk  
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
NICOLE BOLDEN, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
JOHN HAMILTON, Mayor  
City of Bloomington

## SYNOPSIS

This ordinance is sponsored by Councilmember Volan and would amend portions of Title 2 of the Bloomington Municipal Code entitled “Administration and Personnel.” The ordinance makes the following changes:

- It requires that certain information about each city board or commission be maintained on the city’s website and revises the process to be followed upon a board or commission vacancy.
- It revises BMC Section 2.04.050 (“Regular Meetings”) to clarify that the Council may schedule its summer recess as needed.
- It revises BMC Section 2.04.255 (“Committees – Scheduling”) to clarify council committee scheduling and the process of referring legislation to a council committee.
- It revises BMC Section 2.04.270 (“Ordinances and resolutions—Filing, copies and agendas”) to specify that the Council President is authorized to approve the agendas for committee meetings convened to consider legislation referred to them.
- It deletes BMC Section 2.04.290 (“Ordinances and resolutions—Fiscal impact statement required”).

*Note: This ordinance was revised after distribution in the Legislative Packet but before being introduced for first reading at the December 9, 2020 Special Session. The revision added the third Whereas clause, inserted a new Section 4, amended Section 5 to clarify council committees shall not meet to hear legislation during any scheduled summer recess, and renumbered subsequent sections accordingly.*

*Note: This ordinance was revised after distribution in the Legislative Packet and after it was introduced for first reading at the December 9, 2020 Special Session. The revision renumbered the legislation from Ord.20-33 to Ord 21-03; and updated the signature block by striking “Stephen Volan” and replacing it with “Jim Sims” to reflect the recent election of Councilmember Sims to Council President.*



\*\*\* Amendment Form \*\*\*

**Ordinance #:** 21-03  
**Amendment #:** Am 01  
**Submitted By:** Cm. Piedmont-Smith and Cm. Sgambelluri  
**Date:** February 17, 2021  
**Proposed Amendment:** (additions are shown in **bold** and deletions in ~~striketrough~~)

1. Ord 21-03 shall be amended by striking the last Whereas clauses as follows:

~~WHEREAS, as previously acknowledged in Ordinance 13-05, BMC Section 2.04.290 requires the submittal of fiscal impact statements with certain pieces of legislation, but had not been practiced for decades and such statements are not necessary; and.~~

2. Ord 21-03, Section 7 shall be revised as follows:

SECTION 7. Section 2.04.290, entitled “Ordinances and resolutions – Fiscal impact statement required,” shall be deleted in its entirety **and replaced with a new Section 2.04.290 entitled “Ordinances and resolutions – Fiscal impact statement required”** to read as follows:

**2.04.290 Ordinances and resolutions – Fiscal impact statement required.**

**All proposed legislation must be accompanied by a statement describing the impact of that legislation on the City’s finances, including but not limited to revenues, expenditures, and any new debt obligations.**

**Synopsis**

This amendment is sponsored by Cm. Piedmont-Smith and Cm. Sgambelluri. It recognizes the importance of understanding the fiscal impact of legislation and provides flexibility in how that information is presented. The amendment is intended to ensure that council members are informed of the fiscal impact of each proposed ordinance or resolution *without* requiring the use of a *single, inflexible form*. Rather than doing away with fiscal impact statements, this amendment would simplify the process, requiring sponsors of legislation to provide a *narrative* that describes the expected fiscal impact.

**Committee Recommendation (01/27/21):** 3-1 (Volan)  
**Regular Session Action (02/17/21):** Pending

**\*\*\* Amendment Form \*\*\***

**Ordinance #:** 21-03  
**Amendment #:** Am 02  
**Submitted By:** Cm. Sgambelluri, Cm. Sandberg, Cm. Rollo  
**Date:** February 10, 2021  
**Proposed Amendment:**

1. Ord 21-03, SECTION 5 shall be amended by striking the following language in paragraph (a):

(a) When a committee is to consider legislation referred by the council, it shall convene its meeting on the second or fourth Wednesday of the month. The council may decide by majority vote to cancel any such committee meeting, or to meet at an alternative date and time. ~~Motions for referral to a standing committee shall be entertained before a motion for referral to the committee of the whole and shall include the approximate time at which the committee will convene.~~

**Synopsis**

This amendment is sponsored by Cm. Sgambelluri, Cm. Sandberg, and Cm. Rollo. It would eliminate a provision requiring a motion for referral of legislation to a standing committee to be considered before a motion for referral of legislation to the Committee of the Whole.

**Committee Action (02/10/21):** 1 (Sgambelluri) -2 (Sims absent)  
**Regular Session Action (02/17/21):** Pending

Changes proposed by Ordinance 20-33 to:  
BMC CHAPTER 2.02 – BOARDS AND COMMISSIONS

**Bold** wording is proposed new language added.

~~Strikethrough~~ wording is language that is proposed to be deleted.

~~2.02.010 – Vacancy – Synopsis required.~~

~~At least one month before the expiration of an appointment, and immediately on the vacancy's occurrence in the case of an unexpected vacancy, the city board or commission shall write a synopsis regarding the vacancy, giving the name of the board or commission, the number of vacancies and any requirements for eligibility, the duties of the position, an estimate of the time required to fulfill the duties, and compensation.~~

**2.02.010 – Boards and Commissions - Public information required.**

**Each city board or commission, or a city employee officially designated to facilitate the work of the board or commission, shall ensure that the following information about the board or commission is publicly available and accurately maintained on the city's website:**

- (1) The name of the board or commission;**
- (2) The purpose or purview of the board or commission;**
- (3) The current membership of the board or commission, including the term start and end dates for each seat;**
- (4) Any requirements for eligibility;**
- (5) The duties of the members on the board or commission;**
- (6) An estimate of the time required to fulfill the duties; and**
- (7) Compensation, if any is provided.**

~~2.02.020 – Synopsis – To be sent to local media.~~

~~The synopsis shall be sent to the mayor's office in the case of a mayoral appointment and to the common council office in the case of a council appointment. Upon receiving the synopsis, those offices shall edit them as necessary. They shall then be sent, together with a statement on how to apply for the position, to the local media.~~

**2.02.020 – Vacancy-Announcement.**

**At least one month before the expiration of an appointment, and immediately on the vacancy's occurrence in the case of an unexpected vacancy, an announcement shall be sent to the local media that either includes or directs the public to the information required by 2.02.010 about the board or commission. The announcement shall also include a statement on how to apply for the vacant position(s).**

2.02.030 - Appointments—Time limit before making.

No appointments shall be made sooner than fifteen days after submission of the ~~synopsis~~ **announcement** to the media, unless the mayor declares to the common council that an emergency situation exists on a board or commission due to the vacancy, and the mayor recommends and common council votes unanimously to make the appointment before the fifteen days have run.

2.02.040 - Advisory appointments to city boards, commissions, and councils.

- (a) Except as set forth in part (d), city boards, commissions, and councils may expand their membership by no more than four members to serve in a non-voting advisory capacity. To do so, these entities shall adopt and file with the common council a motion which states their intention to expand their membership in this regard by a specified number of positions. As directed by BMC 2.08.020(2), the motion shall set forth the initial period of staggered terms and, after that period, the terms shall be the same length as other positions on those entities.
- (b) The appointments to these positions shall comply with this chapter and shall be made by the common council in the same manner as appointments to fill the other positions on these entities.
- (c) Expansion of a board, commission, or council under this section does not preclude those entities from engaging volunteers to assist in their activities.
- (d) The appointment of non-voting advisory members shall not be available for the following boards, commissions, and councils:
  - (1) Plan commission (Indiana Code § 36-7-4-207);
  - (2) Board of zoning appeals (Indiana Code § 36-7-4-902-903; 906);
  - (3) Board of public works (Indiana Code § 36-4-9-6);
  - (4) Utilities services board (Indiana Code § 8-1-2-100);
  - (5) Redevelopment commission (Indiana Code § 36-7-14-6.1 &7);
  - (6) Common council;
  - (7) Economic development commission (Indiana Code § 36-7-12);
  - (8) Board of park commissioners (Indiana Code § 36-10-4-7);
  - (9) Housing authority (Indiana Code § 36-7-18);
  - (10) Bloomington industrial advisory commission (Indiana Code § 36-7-13);
  - (11) Public safety board (Indiana Code § 36-8);
  - (13) Bloomington Urban Enterprise Association (Indiana Code § 4-4-6.1-4);
  - (14) Firefighters pension board (Indiana Code § 36-8-7);
  - (15) Police pension board (Indiana Code § 36-8); and
  - (16) Public transportation corporation (Indiana Code § 36-9-4-15).

Changes proposed by Ordinance 20-33 to:  
BMC CHAPTER 2.04 – COMMON COUNCIL

**Bold** language is proposed new language added.  
~~Strikethrough~~ wording is language that is proposed to be deleted.

2.04.255 - Committees—Scheduling.

- (a) ~~Meetings of standing committees or the committee of the whole convened to consider legislation referred by the council shall meet~~ **When a committee is to consider legislation referred by the council, it shall convene its meeting** on the second or fourth Wednesday of the month. **The council may decide by majority vote to cancel any such committee meeting, or to meet at an alternative date and time.** Motions for referral to a standing committee shall be entertained before a motion for referral to the committee of the whole and shall include the approximate time at which the committee will convene.
- (1) If more than one standing committee has had legislation referred to it during the same period of time, the committees shall not be scheduled at the same time, so that any council members may attend any meeting.
  - (2) Such standing committee meetings shall not begin before 5:30 p.m. or after 9:45 p.m.
  - ~~(3) Such meetings of the committee of the whole shall convene at 6:30 p.m. local time.~~
- (b) **The president shall have the authority to refer legislation to the appropriate committee when the legislation is introduced for first reading, but such a referral may be changed by a motion approved by a majority of the council. The president shall have the authority to call and schedule committee meetings on second and fourth Wednesdays in anticipation of the introduction of legislation.**
- (c) A council committee shall not meet on legal holidays as enumerated in Indiana Code § 1-1-9-1 during the month of August, on the Wednesday evening immediately before Thanksgiving Day, or on or between the fourth Wednesday in December and New Year's Eve.

2.04.270 - Ordinances and resolutions—Filing, copies and agendas.

Each ordinance or resolution submitted to the council shall be in an editable, electronic form, accompanied by any relevant documents, and filed with the council office at least ten days before the meeting at which the legislation is to be introduced. That time frame may be extended by a vote of the council or at the request of the president. The president shall approve the agendas for ~~committees of the whole~~, regular sessions, ~~and~~ special sessions called by the president or voted upon by the council, **and committees convened to consider legislation referred to them**, and the council staff shall prepare and distribute copies of the agendas and legislation to the council members, the mayor, and corporation counsel. The president may, at the meeting when ordinances are introduced for first reading, announce that the council will consider any of those

ordinances as well as any resolutions expected to be considered during that legislative cycle at the next two regularly scheduled committees of the whole before receiving formal action at the following regularly scheduled regular session.

2.04.290 Ordinances and resolutions Fiscal impact statement required.

- ~~(a) Any legislation that makes an appropriation or has a major impact on existing city appropriations, fiscal liability, or revenues shall be accompanied by a fiscal impact statement. The statement shall describe the effect of the legislation on the financial condition of the city government and shall become a part of the official record of the legislation.~~
- ~~(b) The fiscal impact statement shall be submitted on a form provided by the council staff and shall set forth in as much detail as possible all fiscal data relevant to the legislation, including the effect on the costs and revenues of city government, the funds affected, and factors which could lead to significant additional expenditures in the future.~~
- ~~(c) The fiscal impact statement shall be prepared by the city agency submitting the legislation and shall carry the signature of the responsible city official. If the legislation directly affects city funds, the controller shall complete that part of the statement dealing with information on the funds affected by the legislation. The council staff may edit the statement to clarify information and ensure accuracy and completeness.~~
- ~~(d) The city agency submitting the legislation shall be responsible for determining whether the legislation will have a major impact on the city's financial condition. If the agency determines that the legislation will not have a major fiscal impact, the agency shall submit a fiscal impact statement stating its conclusion and the basis for it.~~
- ~~(e) The council may adopt rules and regulations to effectuate the purposes of this section.~~



**BLOOMINGTON COMMON COUNCIL  
FISCAL IMPACT STATEMENT**

Per BMC §2.04.290, any legislation that makes an appropriation or has a major impact on existing city appropriations, fiscal liability, or revenues shall be accompanied by a fiscal impact statement.

**LEGISLATION NUMBER AND TITLE**

**PROPOSED EFFECTIVE DATE**

**FISCAL IMPACT.** Will the legislation have a major impact on existing City appropriations, fiscal liability or revenues?

YES

NO. If the legislation will not have a major fiscal impact, briefly explain below.

**FISCAL IMPACT FOUND.** If the legislation appropriates funds and/or will have a major fiscal impact, please complete the following:

	FY -- CURRENT	FY -- SUCCEEDING	ANNUAL CONTINUING COSTS THEREAFTER
REVENUES			
EXPENDITURES			
NET			

**IMPACT ON REVENUE (DESCRIBE)**

**IMPACT ON EXPENDITURES (DESCRIBE)**

**FUTURE IMPACT.** Describe factors which could lead to significant additional expenditures in the future.

**FUNDS AFFECTED: TO BE COMPLETED BY CITY CONTROLLER**

If the proposal affects City funds, please describe the funds affected and the effects of the legislation on these funds.

\_\_\_\_\_  
Signature of Controller

\_\_\_\_\_  
Signature of City Official  
responsible for submitting legislation



## MEMO FROM COUNCIL OFFICE ON:

### **Ordinance 21-06 - To Amend Title 2 (“Administration and Personnel”) of the Bloomington Municipal Code Re: Adding Chapter 2.87 (Protections for People Experiencing Homelessness)**

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#### **Synopsis**

This ordinance is sponsored by Councilmember Flaherty, Councilmember Rosenbarger, and Councilmember Piedmont-Smith, and amends the Bloomington Municipal Code to add a new Chapter 2.87 entitled “Protections for People Experiencing Homelessness.” The new chapter includes procedures to be followed by the city before displacing individuals experiencing homelessness from certain public spaces. The procedures applicable to the city would include a notice requirement, collaboration with relevant service providers, a prohibition on displacing individuals if there is insufficient available housing, storage of personal property, and the ability to designate certain limited areas where these procedures would apply.

#### **Relevant Materials**

- Ordinance 21-06
- Memo from sponsors
- Relevant definitional sections from the Code of Federal Regulations
- Fiscal Impact Statement forthcoming

#### **Summary**

Ordinance 21-06 proposes to add a new chapter to the Bloomington Municipal Code under Title 2 (“Administration and Personnel”). The new chapter 2.87 (“Protections for People Experiencing Homelessness”) would put several procedures in place that the city would need to follow before displacing individuals experiencing homelessness from certain public areas. The ordinance is largely modeled off of a similar Indianapolis ordinance that was adopted in 2016 (available in the Indianapolis-Marion County code online here:

[https://library.municode.com/in/indianapolis -  
marion county/codes/code of ordinances?nodeId=TITIORAD CH231DEMEDE ARTVPRH  
0](https://library.municode.com/in/indianapolis_-_marion_county/codes/code_of_ordinances?nodeId=TITIORAD_CH231DEMEDE_ARTVPRH0)).





The new Section 2.87.010 expresses the purpose and intent of the chapter, which is to lessen the adverse effects and conditions caused by a lack of housing.

The new Section 2.87.020 provides definitions for certain terms used throughout the chapter, many of which are defined by reference to the Code of Federal Regulations (CFR). The relevant CFR definitions are included in the materials herein.

The new Section 2.87.030 includes several subsections containing procedural requirements applicable to an action by the city to displace a person experiencing homeless (as defined) from a camp (as defined). The procedures would include:

- Written notice to be provided by the city to the individual experiencing homelessness, to the Bloomington Common Council, and to the Region 10 Continuum of Care Board (the regional planning council for Morgan, Owen, Greene, Monroe, Lawrence, Martin counties, tasked with the development and implementation of strategies for homelessness alleviation – more information available on the Indiana Housing & Community Development Authority website: <https://www.in.gov/ihcda/4147.htm>);
- Exceptions to the notice requirements in cases of emergency (as defined) or if the notice period lapses;
- Collaboration between the city and the Region 10 Continuum of Care Board to ensure the individuals to be displaced are offered available transitional housing (as defined) or permanent housing (as defined);
- A prohibition on displacing a person experiencing homelessness from a camp if there is insufficient available housing as described in the ordinance;
- Storage by the city of certain nonperishable personal items;
- The ability of the city to designate certain limited areas on public property where camps are allowed and where the procedures contained in the new chapter would apply.

As previously stated, this ordinance is largely based on a similar Indianapolis ordinance adopted in 2016. Both the sponsors of this ordinance and members of the administration have contacted Indianapolis officials in an effort to gather feedback about the effectiveness of Indianapolis's ordinance, to learn of potential challenges to its implementation, and to build on what the Indianapolis ordinance does well. Members of the administration may wish to voice concerns, both legal and practical, about the impact of this ordinance on city operations.

### Contact

Councilmember Matt Flaherty, [matt.flaherty@bloomington.in.gov](mailto:matt.flaherty@bloomington.in.gov), (812) 349-3409

Councilmember Kate Rosenbarger, [kate.rosenbarger@bloomington.in.gov](mailto:kate.rosenbarger@bloomington.in.gov), (812) 349-3409

Councilmember Isabel Piedmont-Smith, [piedmoni@bloomington.in.gov](mailto:piedmoni@bloomington.in.gov), (812) 349-3409

**ORDINANCE 21-06**

**TO AMEND TITLE 2 (“ADMINISTRATION AND PERSONNEL”) OF THE  
BLOOMINGTON MUNICIPAL CODE**

**Re: Adding Chapter 2.87 (Protections for People Experiencing Homelessness)**

- WHEREAS, on January 22, 2020, outreach workers counted 334 persons in Monroe County who were homeless, as reported in the Region 10 Point-in-Time Homeless Count for 2020; and
- WHEREAS, in January 2021, local street outreach workers from Beacon, Inc. conducted surveys by name with unsheltered individuals, identifying 39 individuals sleeping in or near Seminary Park and estimating that another 20 to 25 individuals were sleeping in camps elsewhere in Bloomington; and
- WHEREAS, according to members of the South Central Housing Network, the above referenced number of unsheltered persons is substantially greater than during past winters, possibly due to the COVID-19 pandemic and related economic hardship; and
- WHEREAS, research<sup>1</sup> from national experts suggests that the number of persons who experience homelessness at some point during the year is around three times greater than the number counted during an annual point-in-time count, such as the January 22, 2020 count; and
- WHEREAS, the estimated number of persons in Monroe County who experience homelessness during the course of a year may be around 1,000 persons; and
- WHEREAS, according to members of the South Central Housing Network, Bloomington and Monroe County experience, at times, a shortage of shelters that can accommodate all people in the community experiencing homelessness; and
- WHEREAS, according to members of the South Central Housing Network, Bloomington and Monroe County experience, at times, a shortage of transitional housing and permanent housing for those experiencing homelessness; and
- WHEREAS, persons experiencing homelessness may, at times, be ineligible for or prohibited from certain shelters, or otherwise feel uncomfortable going to certain emergency shelters; and
- WHEREAS, the United Nations Universal Declaration of Human Rights (1948), Article 25(1), states, “*Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services;*” and
- WHEREAS, all persons experiencing homelessness should be entitled to protection from arbitrary and capricious treatment by local government;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA THAT:

SECTION 1. A new Chapter, Chapter 2.87, shall be added to the Bloomington Municipal Code. The new Chapter shall be entitled “Protections for People Experiencing Homelessness” and shall be inserted into the Table of Contents for the Title 2 and shall read as follows:

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<sup>1</sup> Shinn, M., & Khadduri, J. (2020). *In the midst of plenty: Homelessness and what to do about it*. Chichester: Wiley Blackwell.

**Sections:**

<b>2.87.010</b>	<b>Purpose and intent</b>
<b>2.87.020</b>	<b>Definitions</b>
<b>2.87.030</b>	<b>Protections in the event of displacement</b>

**Sec. 010. Purpose and intent**

No person should suffer unnecessarily or be subject to unfair discrimination or arbitrary treatment based on their housing status. It is the intent of this Chapter to lessen the adverse effects and conditions caused by a lack of housing.

**Sec. 020. Definitions**

For purposes of this Chapter:

“Camp” means a place in an outdoor public park (excluding equipment, courts, sidewalks, paths, and performance venues during performance season) or other public space as designated in section 030(h) below, with temporary accommodations of tents or other structures in which homeless persons have been sleeping overnight.

“Emergency” means a situation when one or both of the following conditions exist:

- (1) A camp being used by homeless persons has accumulated food waste, human waste, or other litter to a degree that the Monroe County Public Health Department or other public health authority determines that the camp presents a public health hazard to the residents of the camp or the public that cannot adequately be redressed by less disruptive clean-up measures;
- (2) A failure to act could immediately lead to serious harm to public health or safety.

“Homeless” or “person experiencing homelessness” has the definition set forth at 24 CFR Sections 91.5 582.5, and 583.5.

“Permanent housing” has the definition set forth at 24 CFR Section 578.3.

“Transitional housing” has the definition set forth at 24 CFR Sections 91.5.

**Sec. 030. Protections in the event of displacement**

- (a) For purposes of subsections (a) through (g) of this section, the term “city” refers to all city departments, including but not limited to Parks and Recreation, Public Works, and the Bloomington Police Department. Before the city may displace a person experiencing homelessness from a camp, the city must give at least fifteen (15) days’ written notice to the person experiencing homelessness living in the camp, to the Region 10 Continuum of Care Board (known as the South Central Housing Network), and to the Bloomington Common Council. However, if the Mayor, the Mayor’s designee, or the Chief of Police makes a written determination that an emergency exists, the city may give as much notice as is reasonable under the circumstances. Such written determination shall be made available to the public online and communicated with the Bloomington Common Council and the Region 10 Continuum of Care Board. Posting of a conspicuous written notice near the camp will satisfy this notice requirement, but all reasonable efforts should be made to provide individualized verbal notice to the person(s) experiencing homelessness as well. The notice provided under this subsection shall include the date the city expects to displace the person(s) experiencing homelessness.
- (b) Upon issuing the notice described in subsection (a), the city will collaborate with the Region 10 Continuum of Care Board in order to work with relevant service providers, faith-based organizations, and/or volunteers to ensure that the persons to be displaced are offered available transitional housing or permanent housing, and any necessary wrap-around services for which they are eligible. Any transitional or permanent housing offered must be a Continuum of Care program approved by the Indiana Housing and Community Development Authority.

- (c) If there is sufficient available housing as described in subsection (b) for all persons to be displaced, the city may proceed with closing the camp after providing the notice required in subsection (a). The city may proceed in this manner even if any persons experiencing homelessness refuse the assistance offered.
- (d) If there is insufficient available housing as described in subsection (b) to meet the needs of all displaced persons experiencing homelessness in a camp scheduled to be closed by the city, the city must wait until there is sufficient available housing before it can close the camp. However, if the city makes a written determination under subsection (a) that an emergency exists, the city does not need to wait until there is sufficient available housing before it can close the camp.
- (e) If a fifteen-day notice period, pursuant to subsection (a), elapses and the city does not displace the persons experiencing homelessness from the camp, then the city must give a minimum of 48 hours' notice to the persons to be displaced, the Region 10 Continuum of Care Board and the Bloomington Common Council in the manner described in subsection (a) before proceeding with any displacement in subsequent days.
- (f) If a person experiencing homelessness is to be displaced from a camp, the city, through the department of public works or other city department, must, to the extent reasonable, maintain and catalogue their nonperishable personal items, including but not limited to, clothing, blankets, tents, medical supplies, identification documents, birth certificates, and other personal documents and effects, in a safe and secure place for a minimum of 60 days. After 60 days, if the city has made reasonable efforts to notify the displaced person, including by working in collaboration with the Region 10 Continuum of Care Board, the city may securely dispose of any unclaimed personal items. For purposes of this subsection, the obligations to maintain and catalogue personal items shall be limited to those items that may fit entirely within one 96-gallon container per displaced person.
- (g) The city may designate certain limited areas on public property where camps are allowed, and the requirements of BMC 2.87 shall apply only in those areas, provided that the designated areas are within one (1) mile of an organization that provides prepared meals at least five (5) days per week for people experiencing homelessness, allow adequate space for persons experiencing unsheltered homelessness, and include access to restrooms.

SECTION 2. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 3. This ordinance shall be in effect from and after its passage by the Common Council and approval by the Mayor.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
 JIM SIMS, President  
 Bloomington Common Council

ATTEST:

\_\_\_\_\_  
 NICOLE BOLDEN, Clerk  
 City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
NICOLE BOLDEN, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
JOHN HAMILTON, Mayor  
City of Bloomington

#### SYNOPSIS

This ordinance is sponsored by Councilmember Flaherty, Councilmember Rosenbarger, and Councilmember Piedmont-Smith, and amends the Bloomington Municipal Code to add a new Chapter 2.87 entitled “Protections for People Experiencing Homelessness.” The new chapter includes procedures to be followed by the city before displacing individuals experiencing homelessness from certain public spaces. The procedures applicable to the city would include a notice requirement, collaboration with relevant service providers, a prohibition on displacing individuals if there is insufficient available housing, storage of personal property, and the ability to designate certain limited areas where these procedures would apply.

## MEMORANDUM

To: Members of the Bloomington Common Council  
From: Matt Flaherty, Isabel Piedmont-Smith, Kate Rosenbarger  
Subject: Ordinance 21-06  
Date: February 12, 2021

In recent months, there has been renewed attention in our community on people experiencing homelessness who are camping in public spaces. Ideally, every person in our community would have safe and accessible housing. Nobody thinks it is ideal for people to sleep in tents, especially during the winter. However, the reality is that some people temporarily lack housing and may be unable to go to emergency shelters. Ordinance 21-06 focuses on finding a short-term solution for these people by ensuring a legal place for them to sleep if they have no other options.

This ordinance proposes adding a new chapter, entitled “Protections for People Experiencing Homelessness,” to Title 2 of Bloomington Municipal Code. The ordinance addresses several areas of concern related to unhoused community members, as described below.

### BACKGROUND

This ordinance is modeled after a 2016 ordinance passed with bipartisan support by the Indianapolis City-Council Council.<sup>1</sup> Over the past several months, we have developed the ordinance while in direct consultation with people experiencing homelessness, the Bloomington Homeless Coalition, area homelessness service providers, and city staff. The Region 10 Continuum of Care Board,<sup>2</sup> also known as the South Central Housing Network, considered a draft of the ordinance at a board meeting, voting to support the ordinance. A letter of support is expected soon, pending review of the final draft of the ordinance. We believe that people with lived experience of homelessness and the professionals working in homelessness services are best suited to inform the issues covered by Ordinance 21-06.

### CONTENT OF ORDINANCE

First, the ordinance sets procedures the city must follow if it displaces people experiencing homelessness from a public park, as it did in the Seminary Park area in December 2020 and January 2021. More specifically, the ordinance specifies the following:

- a uniform approach to how the city provides notice prior to displacing any unhoused person from public parks, including communication with the Bloomington Common Council and the Region 10 Continuum of Care Board;
- the protection and storage of personal property of any displaced person with limits as described in section 2.87.030(f); and
- the need for transitional housing or permanent housing to be available and offered to unhoused persons prior to displacement.

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<sup>1</sup> Title I, Chapter 231, Article V of Indianapolis City-County Code. [https://library.municode.com/in/indianapolis\\_-\\_marion\\_county/codes/code\\_of\\_ordinances?nodeId=TITIORAD\\_CH231DEMEDE\\_ARTVPRHO](https://library.municode.com/in/indianapolis_-_marion_county/codes/code_of_ordinances?nodeId=TITIORAD_CH231DEMEDE_ARTVPRHO)

<sup>2</sup> This is the board sanctioned by the Indiana Housing and Community Development Authority for our region, representing area sheltering agencies that comply with IHDA standards. <https://www.in.gov/ihcda/4147.htm>

Second, the ordinance addresses a simple, if challenging, question that the sponsors believe it is essential to answer. Specifically, when a person experiencing homelessness is unable to go to a shelter (e.g., if they have been prohibited or if a shelter is full), where are they legally allowed to spend the night? The longstanding de facto answer seems to be nowhere at all, even if in practice the government may at times look the other way while people sleep in parks or in the woods.

We believe that as a matter of human rights and dignity, unhoused residents need a designated area of public space where they are allowed to sleep if unable or unwilling to go to an emergency shelter. This is something other cities provide, and there are at least two possible approaches:

- One approach, which Indianapolis has taken, is to allow unhoused persons to legally sleep anywhere in public space, with some exceptions. Ordinance 21-06 takes a similar overarching approach, but further limits this space to public parks, with some exceptions.
- Another possible approach is to designate specific locations of public property where people experiencing homelessness are allowed to sleep. Section 2.87.030(g) would allow the city to designate such an area or areas, thus limiting where Chapter 2.87 would apply. Any designated space must have access to restrooms and be within one mile of an organization providing prepared meals for people experiencing homelessness.

#### LONGER-TERM SOLUTIONS

We also recognize the importance of working towards better long-term solutions to homelessness. We welcome the renewed focus in the community on implementing evidence-based solutions, such as housing first policies. Specifically, a Housing Insecurity group, headed by Tina Peterson from the Community Foundation of Bloomington & Monroe County and Efrat Feferman from the United Way of Monroe County, is leading community efforts to make homelessness rare, brief, and non-repeating. However, this group has not been tasked with the questions raised above, and the group leaders do not think the group is well suited to address them.

People experiencing homelessness are among the most vulnerable of our Bloomington neighbors. We need a whole-community approach to addressing all aspects of homelessness, including the tragic situation where someone has no bed in which to sleep for the night.

## Code of Federal Regulations - Definitions.

### Homeless - [§ 91.5](#), [§ 582.5](#), [§ 583.5](#)

(1) An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:

(i) An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;

(ii) An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, or local government programs for low-income individuals); or

(iii) An individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution;

(2) An individual or family who will imminently lose their primary nighttime residence, provided that:

(i) The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance;

(ii) No subsequent residence has been identified; and

(iii) The individual or family lacks the resources or support networks, e.g., family, friends, faith-based or other social networks needed to obtain other permanent housing;

(3) Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:

(i) Are defined as homeless under section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)), or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a);

(ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance;



(iii) Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and

(iv) Can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse (including neglect), the presence of a child or youth with a disability, or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment; or

(4) Any individual or family who:

(i) Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence;

(ii) Has no other residence; and

(iii) Lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, to obtain other permanent housing.

### **Permanent housing - [§ 578.3](#)**

Permanent housing means community-based housing without a designated length of stay, and includes both permanent supportive housing and rapid rehousing. To be permanent housing, the program participant must be the tenant on a lease for a term of at least one year, which is renewable for terms that are a minimum of one month long, and is terminable only for cause.

### **Transitional housing - [§ 91.5](#)**

A project that is designed to provide housing and appropriate supportive services to homeless persons to facilitate movement to independent living within 24 months, or a longer period approved by HUD. For purposes of the HOME program, there is no HUD-approved time period for moving to independent living.